

NOMINATION OF R. DAVID PAULISON

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

ON THE

NOMINATION OF R. DAVID PAULISON, TO BE UNDER SECRETARY FOR
FEDERAL EMERGENCY MANAGEMENT, U.S. DEPARTMENT OF HOME-
LAND SECURITY

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NOMINATION OF R. DAVID PAULISON

WEDNESDAY, MAY 24, 2006

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10:19 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Susan M. Collins, Chairman of the Committee, presiding.

Present: Senators Collins, Voinovich, Lieberman, Akaka, Carper, and Dayton.

OPENING STATEMENT OF CHAIRMAN COLLINS

Chairman COLLINS. The Committee will come to order.

Today the Committee will consider the nomination of David Paulison to be the Under Secretary for Federal Emergency Management at the Department of Homeland Security. Put more simply, he has been nominated to be the Director of FEMA.

It would be an understatement to say that Members of this Committee are familiar with FEMA. We have just completed an exhaustive 7-month investigation into what went wrong in the response to Hurricane Katrina. As a result, we are all too familiar with the profound problems that exist within the Nation's emergency management structure and, in particular, within FEMA.

As the title of our Katrina Report states, 4 years after the terrorist attacks, America was still a Nation unprepared when that powerful storm struck. With the official start of the 2006 hurricane season now less than a week away, we must ascertain whether we are any better prepared today as a result of the cruel lessons Hurricane Katrina taught us.

The recent floods in the southern part of my State and in New Hampshire and Massachusetts remind us that disaster can strike any time and anywhere. The terrible human suffering and the physical devastation caused by Hurricane Katrina were truly horrifying. But, from natural disasters to terrorist attacks, we can easily construct scenarios that would be even worse. FEMA plays a central role in preparing for, responding to, and recovering from such catastrophes.

The catalog of the 185 findings in our Committee's report can be seen through the lenses of four over-arching failures: First, the lack of attention to long-term warnings and failures to prepare for a long predicted catastrophe.

Second, insufficient actions and poor decisions prior to landfall and in the immediate aftermath.

Third, the failure of systems that support response efforts, including abysmal situational awareness.

And fourth, the failures of officials at all levels of government to provide effective leadership.

As our investigation made painfully clear, FEMA, under its then-Director Michael Brown, was at the center of each of these failures. Mr. Brown bears much of the responsibility for the haphazard and inadequate preparation, response, and relief effort. It matters greatly who leads FEMA. The Agency must have a strong, effective, and experienced leader, which is why we have convened today.

But the record of our investigation also makes clear that the problems at FEMA go beyond matters of leadership, judgment, and equipment in one particular disaster. FEMA lacks the stature, the protection, the resources, the connections with State and local officials and first responders, and the direct communication with the President that are essential in responding effectively to a catastrophe.

It is clear that the problems at FEMA were evident long before Katrina. Our investigation of FEMA's disaster relief programs following the 2004 Florida hurricanes revealed alarming waste, fraud, and abuse. Yet, those alarms were not heeded before Katrina struck.

FEMA's problems are bone deep, and at the surface level, its credibility is shattered. That is why one of our report's major recommendations calls for elevating and strengthening FEMA by giving it key preparedness and protection assets. We must transform this agency into a new, all-hazards authority within the Department of Homeland Security.

This more capable and more regionally focused agency would be built upon the foundation of FEMA. More precisely, it will be built upon the foundation of FEMA's skilled, dedicated, and professional workforce.

Our nominee brings extensive credentials and leadership experience to the great challenges ahead. David Paulison was appointed Acting Director of FEMA just 2 weeks after Katrina hit, following the resignation of Michael Brown. He stepped forward to take command under extraordinarily difficult circumstances.

Prior to his appointment as the Acting Director of FEMA, he was confirmed by the Senate as the U.S. Fire Administrator in December 2001. Before his confirmation, Mr. Paulison was Chief of the Miami-Dade Fire Rescue Department, where he directed 1,900 personnel and oversaw a \$200 million operating budget. He also was responsible for the Dade County Emergency Management Office. Thus, Mr. Paulison has the kind of experience and background that our report strongly recommends for Federal emergency management leaders.

A past president of the International Association of Fire Chiefs, Mr. Paulison has earned the respect of firefighters and emergency managers across the country. His nomination has the endorsement of that organization, as well as of the National Emergency Management Association, and several other groups.

I look forward to hearing from him on what has been done to remedy the specific problems Katrina exposed and, even more important, to prepare for the 2006 hurricane season, such as improv-

ing evacuation plans, commodity tracking and replenishment, coordination with local, State, and other Federal agencies, communications interoperability, and temporary housing.

We will also discuss other important issues, from the over reliance by the Agency on sole source contracts to preparations for other types of disasters, not only terrorist attacks but also those that our Nation has yet to experience, such as a pandemic disease.

I thank Mr. Paulison for his continuing commitment to public service, and I welcome him back to the Committee today.

Senator Lieberman.

OPENING STATEMENT OF SENATOR LIEBERMAN

Senator LIEBERMAN. Thank you very much, Madam Chairman, and welcome, Chief Paulison, to this hearing on your nomination to officially become the Under Secretary for Federal Emergency Management at the Department of Homeland Security—in effect FEMA—an agency that, as you know, Senator Collins and I would like to work to rebuild, to strengthen, and ultimately to rename.

Chief, your background has clearly helped you prepare for the challenges that you are going to face in this position. As Senator Collins has said, and I want to restate it because it is so important, you have more than 30 years experience as a firefighter in the Miami-Dade County Fire Department. You rose through the ranks to become Chief with oversight of the County's Office of Emergency Management. You led the U.S. Fire Administration, briefly served as Director of FEMA's Preparedness Division, and have now served as FEMA's Acting Director since September 2005.

I do not think there are many people who would disagree with the contention that many of the problems that we, on this Committee, and the Nation, saw in FEMA's response to Hurricane Katrina were the result of a management team there that did not have the same professional experience in emergency response and management that you have. That is one of the reasons our Katrina Report recommends that the leadership of this new authority that we would like to build up from FEMA have sufficient and relevant experience, as you do.

I want to say here publicly that I also appreciate many of the actions that you have taken as Acting Director of FEMA—your hiring goals to bring the Agency to full strength; your plans to pre-position relief supplies better throughout areas that are presumed to be hit by hurricanes; and your programs to equip your personnel, and other personnel, better.

Although these initiatives will help us prepare better, I know you will agree we have far more work to do, especially as we head into a hurricane season that experts have ominously warned favors more catastrophic storms in both the Gulf Coast and, I might say, along the East Coast getting closer to the neighborhoods of Senator Collins and myself.

Bottom line: We need a strong FEMA with a strong manager leaning into the wind, not being blown apart by it. And I have confidence that you can be and will be that person.

I know that there are those who believe FEMA should be a separate agency again and take it out of DHS. Our Committee's investigation found, frankly, that FEMA was never prepared for a catas-

trophe of Katrina's scope and intensity. And although it served the Nation well in previous years, particularly during the 1990s, it was not able to deal with every natural disaster of the 1990s as we had wanted.

If you move FEMA out of DHS, you are not doing anything to strengthen FEMA. In fact, you are weakening it. You are isolating it from the resources it needs and from its collegial agencies within DHS that it must work with in a time of disaster.

So I feel very strongly that what we need is more integration and coordination, not less, to strengthen America's emergency response, prevention, and recovery capability.

I know that you agree with the Chairman and me that emergency management must remain within DHS. However, we need much more, I want to say to you, than FEMA is now capable of delivering. And we have to work together with you to give you that capacity as we go forward.

I would like to briefly add a word about the ongoing Katrina recovery. I want you to know, Chief, and you will not be surprised by this, that on this Committee we continue to receive reports of inadequate planning, poor coordination, inflexible guidelines, and still some ineffective communication on the part of a few FEMA personnel.

I know that some of your recovery programs were not created for a catastrophe of Katrina's proportions, which is why the Chairman and I introduced legislation immediately after the storm to address some of the most pressing needs.

One of the most essential proposals was to give the President the authority to waive the \$26,200 individual assistance cap. Unfortunately, that legislation was rejected. Nearly 14,000 people impacted by Katrina have now reached that cap and need additional assistance. This is an example of one of the additional resources and capacities that I think FEMA needs to manage successfully during long-term recovery efforts for communities and for individuals. I hope we can have your support as we develop some of those more effective approaches.

Finally, some problems cannot wait. For example, as you know, FEMA recently gave 30-days eviction notice to some evacuees still living in apartments and trailers. These are Hurricane Katrina evacuees. Evacuees and local officials are expressing frustration and some anger on the argument that we cannot abandon these people now. I hope you will indicate to us during the hearing the ways in which you will move forward with the recovery in a fair and just manner.

But bottom line, it seems to me that you are a good and able man to be put into this tough position. You will have the support of the Members of this Committee, certainly of both parties, as we go forward to prepare America to respond to all hazards and all disasters much better than our government did in response to Katrina.

I want to apologize in advance. There is a joint session of Congress at 11 a.m. to hear Prime Minister Olmert. I have been honored to be on the escort committee to bring him into the hall. He probably would come into the hall whether I was there or not, but I would like to be there personally.

So I am going to file some questions with the Committee and have confidence that Senator Collins and other Members will probably ask some of the questions that I would have asked.

I wish you the best, Chief, and I look forward to working with you. Thank you.

Chairman COLLINS. Thank you, Senator Lieberman.

Before calling on the rest of my Senate colleagues for their opening statements, I am going to ask their indulgence while I call on Congressman Shaw for his introduction because he does have a tight schedule and needs to get back to the House.

Congressman, we are very pleased to have you here this morning. Please proceed with your introduction.

**TESTIMONY OF HON. E. CLAY SHAW, JR., A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. SHAW. Thank you, Senator Collins, and I will be joining my friend, Senator Lieberman, as part of the escort committee in just a few moments so I will also be leaving this hearing.

Chairman Collins and Ranking Member, Senator Lieberman, it is my distinct pleasure to appear before you and the rest of your Senators to introduce a man whose job it is to answer America's alarms.

As you know, David Paulison was appointed Acting Director of the Federal Emergency Management Agency by President Bush in September 2005. He ascended to that position as we began the difficult and demanding process of recovering from Hurricane Katrina, one of the worst storms in our Nation's history.

The term natural disaster does not even begin to describe the devastation that was wrought by not only just Katrina but also the major storms that followed, Hurricanes Wilma and Rita. Mr. Paulison rose to the occasion to lead our Nation's relief and recovery efforts.

David Paulison has long been a constituent of mine, and I personally supported him to be named permanent director of FEMA last fall because of his proven ability to meet major challenges head on through his effective leadership, remarkable management skills, and thorough approach.

Before joining FEMA, Mr. Paulison, who has 30 years of fire and rescue experience, was Chief of the Miami-Dade Fire and Rescue Department. In that position, he oversaw 1,900 personnel with a \$200 million operating budget and a \$70 million capital budget.

He also oversaw the Dade County Emergency Management Office, which I have visited several times. I can tell you firsthand that Mr. Paulison kept a well-organized and efficient Emergency Management Office in South Florida, which I also say is one of the most technically advanced in the entire country.

He began his career as a rescue firefighter and rose through the ranks of rescue lieutenant commander, assistant chief, and then deputy for administration before becoming Miami-Dade Fire Chief. He is also a certified paramedic.

As Fire Chief, he oversaw the Miami-Dade Urban Search and Rescue Task Force. His emergency management expertise includes major disasters such as Hurricane Andrew and the crash of ValuJet Flight 592 into the Florida Everglades.

Knowing David Paulison and having worked with him in the past, I can tell you that he does not want this job because it is easy. There is nothing easy about the job of the FEMA Director, and he knows full well that every step he takes will be second-guessed by the Congress of the United States. He wants this job because of challenges and because of his passionate belief that America can not only survive times of tragedy but has the strength to rise above them and be strengthened by the tragedies that we experience.

As you deliberate today and consider this important Senate confirmation, I hope you remember that for the last 30 years David Paulison has been the guy who runs into the fire. He should be honored and respected during his confirmation process for his distinguished service to his Nation in times of tragedy and crisis, which I am sure will be the case.

Our neighborhoods, our communities, and our dependency is on his leadership.

I might say, Senator Collins, your mention of wanting strength, effectiveness, and experience is exactly what David Paulison is all about. As Chairman of the Florida Delegation, it is my great honor to introduce to you the Acting Director of the Federal Emergency Management Agency, David Paulison.

Chairman COLLINS. Thank you, Congressman Shaw, for taking the time this morning to introduce the nominee. Senator Voinovich.

OPENING STATEMENT OF SENATOR VOINOVICH

Senator VOINOVICH. Thank you, Madam Chairman, for holding this important hearing.

The position of Under Secretary for Federal Emergency Management is an enormous responsibility, particularly during a time when our Nation faces seemingly constant hazards in the form of both natural disasters and terrorist threats. It is critical that the Under Secretary for Emergency Management be an individual with experience, skill, leadership, and integrity. Chief Paulison, I believe you possess these qualities, and I am pleased you are here today.

During Chief Paulison's recent visit to my office, we discussed the challenges facing FEMA. I was impressed with his background, and I believe he is the right man for the job. Leading FEMA through this time of transition will be an undertaking of monumental proportions. Chief Paulison, your willingness to take on this task speaks volumes about your character. I thank you for accepting this challenge, and I thank your family for the sacrifices that they have made and they are going to be making so that you can put in the long arduous hours that will be required. Unfortunately that job is a 24/7 operation. Again, that is a big responsibility and a great sacrifice to your family.

I also want to take a moment to recognize all of the FEMA employees for their hard work and sacrifices, performing what they must feel like is a thankless job. Emergency management is important work, and our Nation owes much gratitude to the men and women of FEMA who have assisted capably in the response to disasters in my home State of Ohio, as well as home States of all of my colleagues.

Chief Paulison, I look forward to learning of your intentions for revitalizing FEMA. As you know, the Members of this Committee will be actively engaged in oversight of FEMA's progress. I encourage you to be as candid as possible with this Committee, to let us know what Congress might do to assist you in turning the Agency around.

Thank you, Madam Chairman.

Chairman COLLINS. Thank you, Senator. Senator Akaka.

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Thank you very much, Madam Chairman.

Mr. Paulison, welcome back to the Committee, and I also want to add my welcome from the Committee to your family that are present here this morning. I want to tell you that it is great to see you again.

Mr. Paulison, one of my primary concerns is FEMA's budget. During the Committee's hearings on Hurricane Katrina, former FEMA Director Michael Brown testified that FEMA was underfunded during his tenure. Yet Mr. Brown never reported these budget issues to Congress, and we learned of his concern only after he resigned from FEMA.

Mr. Paulison, as the Director of FEMA, you will be charged with ensuring that the Nation is prepared to respond to Federal disasters. If the President's budget jeopardizes that mission, it is your responsibility to inform Congress. I know you will take that responsibility seriously.

I also believe that FEMA's budget problems have been compounded by its placement under the DHS umbrella. Just last week the House Appropriations Committee passed a bill to decrease FEMA's fiscal year 2007 budget by \$325 million from current spending levels. If FEMA is not a funding priority now, during the first budget cycle after Hurricane Katrina ravaged the Gulf Coast, it never will be.

Another issue is the preservation of the FEMA Pacific Area Office, which is located in Honolulu. When we met in my office last week, you made it clear that you understand the importance of having a FEMA office in the Pacific, and I appreciate your support and your comments there.

Like many others, I was dismayed, and we spoke about this when Project Impact, a FEMA disaster mitigation program that encouraged community preparedness—and I want to say this slowly—through public-private partnership, was discontinued in 2001. Project Impact was replaced with the Pre-Disaster Mitigation Grant program, PDM, which fails to offer the same sustained partnership between FEMA and local communities. Nor does it provide the same level of private sector involvement as Project Impact. And I intend to look for ways to improve upon the PDM program to revive these partnerships. And I hope, if confirmed, you will work with me on this effort.

I want to commend you for your background and experiences, which I feel are key in carrying out your duties as Director of FEMA. I also commend you for your commitment to public service and emergency management. I hope your tenure will do much to restore respect for men and women for FEMA.

Thank you very much.

Chairman COLLINS. Thank you, Senator. Senator Dayton.

OPENING STATEMENT OF SENATOR DAYTON

Senator DAYTON. Thank you, Madam Chairman.

Mr. Paulison, I welcome you to the Committee and to your assignment.

I started my career in various levels of State, Federal, and local governments. So I believe in government. I believe in the importance of its various missions.

I must say, and particularly in my term here in the Senate, I vacillate every day from being a liberal to a libertarian, and sometimes three or four times a day depending on how well government is performing or not performing.

And my experiences with FEMA have left me more often on the libertarian side of the coin because of my frustration and the frustration of many of my constituents in getting responses, getting answers, and getting decisions from that agency.

They talk in business about the moments of truth and those being the critical times where a response or a non-response really secures or loses a client, a customer, or a supporter for life.

By the nature of its work, FEMA is dealing with moments of truth, where people are in crises, they are in despair, and they are afraid. They have lost much or everything that they have worked all of their lives to accumulate. They need answers. They need responses. They need sometimes the impossible. But they, most of all, need the sense that government and the agencies of government are working as allies and bring a certain expertise and a desire, a dedication, and a willingness to assist in what they are faced with.

That is the mission of FEMA. It seems clear that is the reason that the agency exists.

My own experience, and it goes really beyond or is really unrelated—its related, but it is separate from New Orleans and the Gulf of Mississippi, which have understandably and deservedly gathered so much of the headlines and so much of this Committee's and other committees' attention in the last year. I think that has been both necessary and valuable for those of us who have been unable to bring that same kind of focus and a spotlight on what has happened to FEMA in other parts of the country, such as parts of Minnesota, because they do not reach that magnitude.

But, in my view, while there can be some explanation for the magnitude of the disasters in the Gulf overwhelming the response mechanisms of FEMA and other agencies, there is not that same explanation or excuse for the lack of response, for example, when Northwestern Minnesota's Roseau floods in June 2002, devastating that city and the city officials, part-time, many of them unpaid city officials, well-meaning, well-intended, and hard-working, spending 4 years trying to get simple answers out of FEMA.

So I have a lot of questions and my time has expired, but I appreciate your willingness to take on this task but to really make FEMA once again a responsive, responsible agency, it is going to require a huge commitment on your part and the support of this Congress. I hope it will be forthcoming.

Thank you, Madam Chairman.

Chairman COLLINS. Thank you.

Mr. Paulison has filed responses to a biographical and financial questionnaire, answered pre-hearing questions submitted by the Committee, and has had his financial statements reviewed by the Office of Government Ethics. Without objection, this information will be made part of the hearing record with the exception of the financial data, which are on file and available for public inspection in the Committee's offices.

Our Committee's rules require that all witnesses at nomination hearings give their testimony under oath. Mr. Paulison, I would ask that you please stand and raise your right hand.

Do you swear that the testimony you are about to give to the Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. PAULISON. I do.

Chairman COLLINS. Please be seated.

Mr. Paulison, I understand that you have some family members present today, and I would invite you to introduce them to the Committee.

Mr. PAULISON. I would like to introduce probably my most ardent supporter, my wife, Kathy; my daughter Beth, who is my biggest cheerleader here; and also home watching is my daughter Amy, who is in Chicago; and both of my granddaughters, Isabelle and Lilly are both watching.

Chairman COLLINS. We welcome them all, whether they are here in person or with you virtually. It is good to have that support here, I am sure.

Mr. Paulison, I would now invite you to proceed with your statement.

TESTIMONY OF R. DAVID PAULISON,¹ TO BE UNDER SECRETARY FOR FEDERAL EMERGENCY MANAGEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. PAULISON. Thank you, and thank you for allowing me to introduce my family. I appreciate that.

Good morning, Chairman Collins, Senator Lieberman, though I know he had to leave, Senator Dayton, Senator Akaka, Senator Voinovich. I appreciate your being here, and I appreciate the support that I have had from each of you in this Committee as I have talked to you.

It is my honor and privilege to come before you today as the President's nominee to be the Under Secretary for Federal Emergency Management at the Department of Homeland Security and the Director of FEMA. I am grateful for the confidence and support placed in me by President Bush and Department of Homeland Security Secretary Michael Chertoff, and I thank them. And quite frankly, I thank you for giving me the opportunity to be here today to outline my vision for a strong and robust Federal Emergency Management Agency.

Again, as I thank others, I want to thank my family for their support. I think that, as Senator Voinovich pointed out very clear-

¹ The prepared statement of Mr. Paulison appears in the Appendix on page 40.

ly, it is a sacrifice for the family, and they have been my rock as I have gone through the last 35 years of serving in an emergency management capacity.

I have served as the Acting Director of FEMA since last September, and I come before you today asking you for your support to continue leading FEMA. I make a solemn promise to you and the American people. It is my vision here now, and for the future, to strengthen FEMA, to strengthen its people, its processes, its capabilities, in order for it to be the preeminent national agency for emergency management, answering the call to serve the Nation and its citizens in times of need.

During times of disasters, be they natural or man-made, this Nation's emergency response capability has been faced with enormous challenges in recent years. From the flooding in Houston from Tropical Storm Allison, the terrorist attacks of September 11, 2001, back to back unprecedented hurricane seasons in 2004 and 2005, and a myriad of other disasters that have impacted this Nation, the people who dedicate their lives to emergency management have responded, at times faltering, but always with a vision of putting the lives and welfare of disaster victims first.

It is with this same outlook of putting others first where I will continue my efforts, alongside the dedicated people of FEMA and Homeland Security, to accomplish our current priorities and build on the future.

These priorities include preparing not only our Agency but preparing the Nation, be it for the upcoming hurricane season or any disaster. We will engage constructively with the emergency management officials, our Federal counterparts, the Department of Defense, and non-governmental organizational partners to maximize communication and coordination for all-hazard disaster preparedness, response, recovery, and mitigation activities.

We will build, within FEMA, a 21st Century competency in operations, logistics, procurement, and communications. We will do all of this and, at the same time, restore the pride and spirit of FEMA employees and the Nation's trust in our abilities.

I believe that, along with the dedicated employees of FEMA, if you decide to confirm me, we will accomplish these goals by the adhering to the tenets of leadership, partnership, investment, and a solid business approach.

FEMA will set clear and unambiguous goals, communicate and listen effectively, make informed decisions, and demonstrate personal and professional integrity in all that we undertake.

With what is predicted to be another very active hurricane season just days away, much has already been accomplished toward strengthening and retooling FEMA. Since September of last year, I have led FEMA through a period of much-needed retooling to gear up for the next hurricane or major disaster. Our top three areas of improvement have been situational awareness and communications, logistics and commodity management, and victim management and assistance.

In all that needs to be accomplished for strengthening FEMA and building it to become the preeminent national-level agency for emergency management, all of this cannot be accomplished without the Agency's No. 1 asset, and that is the employees of FEMA.

The employees at FEMA are public servants to the highest degree, and they bring years of expertise in emergency management. FEMA is a very proud agency with fine individuals who take great pride in their work in this Agency.

If you decide to confirm me, I will stand before the employees of FEMA and ask them to allow me to work hand-in-hand with them to move past any negative perceptions that remain from when we faltered. Together, I know we will build back the full trust of the American people and in doing so make the pride of FEMA employees even stronger than it already is.

I have laid out a personal mission and a list of priorities in my written testimony. As I conclude, I would like to remind the Committee that I started my career with a heart for public service and serving others. My commitment to serving others remains strong and I am deeply humbled and grateful for the opportunity to lead and represent this Agency. I will do my best for the call of America's leadership to FEMA.

Thank you very much, and I would be happy to answer any questions you might have.

Chairman COLLINS. Thank you very much, Mr. Paulison. Your heartfelt commitment to public service impresses me and, I am sure, the other Members of this Committee, as well.

We will begin with three standard questions that we ask of all nominees and then we will do a first round of questions limited to 6 minutes each, followed by a second round of questions.

First, is there anything that you are aware of in your background which might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. PAULISON. Senator, I am not aware of any at all.

Chairman COLLINS. Second, do you know of anything personal or otherwise that would in any way prevent you from fully and honorably discharging the responsibilities of this office?

Mr. PAULISON. I do not.

Chairman COLLINS. And third, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Mr. PAULISON. I do.

Chairman COLLINS. Mr. Paulison, before I turn to policy issues, I do want to inform the Members of this Committee that last night Senator Lieberman and I became aware for the first time of an issue involving certain deductions that you have claimed on your Federal tax returns.

I understand these deductions were claimed based upon the advice of your accountant. But since this is new information to come to our attention, I want to share that with our colleagues: Both the Minority and Majority staff will be sitting down with Mr. Paulison after this hearing and interviewing his accountant to get additional information, which we will share with the Members of this Committee, as well.

Senator Lieberman and I are recommending that we proceed in that manner.

Mr. PAULISON. I support that also, and quite frankly, I just became aware of it last night, also. So I am looking forward to it.

Chairman COLLINS. Thank you.

Mr. Paulison, yesterday Secretary Chertoff briefed Senator Lieberman and me about the steps that the Department has taken to improve the preparedness for this year's hurricane season. You have mentioned three areas that have been of particular priority to you. Secretary Chertoff has convinced me that there has been a lot of work done to pre-stage commodities in greater quantities and also at more appropriate locations, and those are positive steps forward.

There is, however, a great deal of skepticism and concern among the victims of Hurricane Katrina about whether or not FEMA really has taken the actions necessary to ensure a far better response this year if disaster strikes.

They point, for example, to the fact that there are still those, in Louisiana in particular, that are awaiting temporary housing. The individuals in Arkansas point to the unused manufactured housing still sitting idle in Hope, Arkansas. I have seen that firsthand.

Local officials tell us that debris removal still has not been completed. We know from the Army Corps of Engineers that the work on the levees is still not finished, increasing the vulnerability of the New Orleans area.

In light of all of the problems that still exist in the recovery stage for a hurricane that occurred so many months ago, what assurances can you provide to this Committee that we are, in fact, better prepared to respond should any kind of disaster strike this year?

Mr. PAULISON. I think, first of all, you are asking the right questions. There are a lot of issues out there that we have to deal with inside of FEMA.

However, we have very clearly and very carefully and methodically taken those lessons learned from Katrina.

First of all, let me back up a minute. Katrina was obviously an overwhelming event for everyone, far beyond what FEMA was designed to do. Just take the housing piece. We normally house 3,000 to 5,000 people a year. In Katrina, we have either provided direct housing assistance or monetary housing assistance to over 900,000 people. That is remarkable.

You talked about the trailers that we put down. Yes, there are people who still do not have them. But we have put over 112,000 families in travel trailers in just a few months. That is a remarkable housing program. If you just figure 2.5 people in a family, you are talking about 250,000 or maybe 300,000 people. That is a significant accomplishment. It was not pretty, and it was rough at times. But despite the small size of this Agency and the limited scope of what our capabilities were, I think we did an outstanding job.

However, I am not making excuses for anything. We are looking very carefully at those things that we know went wrong in Katrina and did not go smoothly, quite frankly taking reports that came out of this Committee, the one that came out of the House Committee, the one that came out of the White House, the IG's report, the GAO report. We are getting a lot of help in identifying some of those weaknesses, and we are taking those and putting them into several blocks. Particularly, what can we do for this hurricane season and what is it going to take longer term down the road.

Let me touch on a couple of them. Logistics that you mentioned, we have tripled and sometimes quadrupled the amount of supplies that we had during Hurricane Katrina. We had, I think, 180 truckloads of meals ready to eat before Katrina, and right now we have over 770.

With water, we had 600 truckloads of water before Katrina, and now we have 1,500 truckloads. Ice, we had 430 truckloads of ice, and now we have 2,000 truckloads of ice, ready in our stock.

And also, we did an interagency agreement with the Defense Logistics Agency as a backup to all of that in case we even start depleting those supplies. So we are going to have a significantly larger amount of supplies this year than last year.

Last year we were not able to track any of our tractor trailers that left our warehouses on the way to the recovery agency. We lost track of trucks for days sometimes. They would end up in the wrong place or there was no way to redirect them somewhere else.

We have put a very sophisticated global positioning system in place so all of the tractor trailers coming out of our supply warehouses and all of those out of the Defense Logistics Agency we are going to be able to track. Ours particularly, we will be able to track real-time on a map. We will know exactly where every truck is. We can even call up and have the computer tell us where are all of the water trucks? Where are all the meal trucks? Where are all the ice trucks? And it will bring those up separately. We are doing things like that.

Communications, a major problem, as your report pointed out, during Hurricane Katrina. A break-down in communications between the local community and the State, between the State and the Federal Government, and quite frankly inside the Federal Government itself. FEMA was not communicating like it should have communicated with the Department of Homeland Security, not sharing information on a timely basis. We have fixed that. There is a protocol issue in place, and there is also an equipment issue in place. We fixed the protocol piece.

FEMA is part of the Department of Homeland Security, and we are going to act like we are part of Homeland Security. We are integrating ourselves into that Agency to make sure we are part of it just like the other operating components. I think that is an important thing to say.

Equipment-wise, we have bought a tremendous amount of satellite equipment for voice and video. I know you have more questions, and I do not want to ramble on, but we are doing a lot of things to put in place what were not in place to make sure that what happened in Katrina does not happen again.

Chairman COLLINS. Senator Akaka.

Senator AKAKA. Thank you very much, Madam Chairman.

Mr. Paulison, when you and I met last week we discussed the importance of the FEMA Pacific Area Office located in Honolulu. As you know, last year FEMA considered closing the PAO to cut costs.

I first proposed creating that office in 1991, and since then I will tell you that office has really made a difference, not only in Hawaii but across the Pacific. I want you to know that I fought its closure

in 2005 by securing a promise from former FEMA Director Michael Brown to keep the office open, which he did.

In our chat we talked about that, and I would like to ask you about your feeling about that particular office in Hawaii and the Pacific.

Mr. PAULISON. That is a very important office for FEMA. It gives us a connection out there we would not normally have, plus people on the ground to respond to disasters in your area. I am committed to support that office and keep it open. And we are projected funding it all the way through 2010. So there is no intention at all on my part to close that office.

Senator AKAKA. Thank you very much for your commitment on that.

Mr. Paulison, an issue that has troubled me, and I have mentioned it already, is Project Impact. I understand FEMA considers the PDM a replacement for Project Impact, but I am concerned certain benefits of the former program have been lost. For example, Project Impact encouraged private sector participation and created a structure that fostered ongoing interaction between FEMA and State and local communities. And we know this is needed.

How will you enhance the PDM grants to better utilize the private sector and to provide permanent interaction between FEMA and the State and local communities?

Mr. PAULISON. The PDM process that we are using now, we feel is a much fairer process. It is more competitive and takes a lot of the politics out of where the dollars go. And also, we have a private sector office inside Homeland Security that we are working with and will tie into the PDM process.

However, what I would like to do is to work closely with your office and this Committee on any recommendations that you would have for that particular program.

Senator AKAKA. Thank you. Thank you for that.

Also, as I said in my statement, I am concerned that FEMA's budget receives inadequate attention and scrutiny while under the DHS umbrella.

We heard from former FEMA Director Brown during the Katrina hearings that he had numerous concerns regarding FEMA's budget during his tenure, yet did not report these concerns to Congress. I understand the Chairman has already asked you to commit to providing information to this Committee if requested. And I would like to add to that request by asking for your commitment to notify this Committee if FEMA is not receiving the funding allocations from DHS and OMB you believe necessary to fulfill your mission.

I would like to hear your comment on that.

Mr. PAULISON. You have my commitment to speak to this Committee as honestly and frankly as I possibly can. And the budget issue is one of those things that obviously I will.

One of the biggest budget issues we had was actually for staffing. And Congress has given us extra dollars in 2006 and also in the supplemental budget to do a lot of hiring, and we are in the process of doing this. So we are grateful for that. That is solving a lot of our issues, quite frankly, but I really appreciate your concern.

Senator AKAKA. Mr. Paulison, an issue that has been on my radar screen for some time is qualifications for FEMA personnel,

specifically political appointees. Would you share with us what background and qualifications you will require if FEMA political appointments are made?

Mr. PAULISON. I think any person coming into FEMA, especially at the leadership level, needs to have the qualification to do the job. I can give you a couple of examples. I just appointed the Director of Region I, Art Cleaves, who actually was the State of Maine Emergency Manager, very well respected emergency manager around this country and has done an outstanding job in Maine.

The Region II Director that I just appointed has been a previous regional director and also has a lot of emergency management and fire experience.

I just appointed the Region VI Director, who was the Chief of Plano, Texas, Bill Peterson, who has 30 years of service in emergency management.

So I can just tell you that based on—I can give you examples of people that I am bringing in to make sure that those who do come in are going to have experience.

My new Deputy Director was an admiral in the U.S. Coast Guard, 25 years of service, ran the Pacific Fleet, tremendous amount of operational experience. He is now my new Deputy Director.

We brought Deidre Lee over from TSA to deal with our acquisition part of it that we so struggled with in Hurricane Katrina.

So I am bringing experts in that have the experience to do the job, and that is the right way to run this organization.

Senator AKAKA. Thank you for that. And thank you for your responses. I asked that because I know you are here with a great background, and experience to boot, and I just want to tell you that we are happy to have you here. Thank you.

Chairman COLLINS. Thank you. Senator Voinovich.

Senator VOINOVICH. Thank you, Madam Chairman.

Madam Chairman, I look at this Department, FEMA and Homeland Security, as a former mayor and governor. We have a big immigration problem today in part because the Federal Government did not previously provide the needed budgetary resources to secure the border. This week probably we are going to pass an immigration bill. It is going to cost a great deal of money, and it is going to put a lot of pressure on the budget of the Department of Homeland Security.

I believe Congress needs to begin devoting greater attention to budgetary priorities and fiscal realities. We continue to reduce taxes. Our debt is skyrocketing. The non-defense discretionary budget, which is part of your budget, Mr. Paulison, is being squeezed.

And I really think it is important that you and Secretary Chertoff come before this Committee and lay the cards on the table in terms of whether or not you have the resources to get the job done that we are asking you to do.

In far too many cases, this Congress has asked departments to do work and then we do not give them the resources to get the job done. And from my way of thinking, if you do not give people the resources they need to get the job done, then you are basically tell-

ing them that you do not think very much of the job you have asked them to do.

Madam Chairman, I also think we have to give some serious consideration to the fact that we are asking for the transformation of a massive department. Mr. Paulison is a political appointee. He is going to be gone with the next Administration. And I think some consideration should be given to a chief management officer or someone who can carry out the necessary transformation both at FEMA and the whole Department of Homeland Security. Because when this Administration is over, both you and Secretary Chertoff will depart. And goodness only knows what is going to happen in the interim period. And the Department cannot afford to be without skilled leadership, especially FEMA, which must be ready 24/7.

So I think those are big problems this Committee must examine.

Chief Paulison, the key to any organization's success is its workforce, having the right people with the right knowledge and skills at the right place and at the right time. As Chairman of the Subcommittee on Oversight of Government Management and the Federal Workforce, I am deeply concerned about the condition of FEMA's workforce. I believe had FEMA devoted more attention to human capital management prior to Hurricane Katrina, the Agency's response to the catastrophe in the Gulf Coast would have been more effective, although Katrina went way beyond anything that FEMA has faced in the past—I think we had better recognize that.

FEMA currently has a high vacancy rate and has lost experienced senior career staff and managers. With half of your FTEs over 50 years of age, you stand to lose additional skill and talent in the coming years to retirement.

In addition, with all the negative publicity your agency has received in the wake of Hurricane Katrina and now the discussion of yet another reorganization of FEMA, I would imagine morale is low and is affecting retention and recruitment.

In short, if confirmed, you will face enormous workforce challenges. Please share your overall vision for improving human capital management at FEMA. How would you address the vacancy rates, retention, and succession planning? And how are you going to raise morale?

Mr. PAULISON. I think first of all that is an outstanding observation on your part. One of the biggest issues we are facing right now is the staffing of FEMA. The first step is obviously what Senator Akaka talked about as far as bringing the right number of people on board and the qualification. Because the workers actually start respecting the leadership of FEMA, and we are doing that.

But also, probably more important, is making sure that our organizational staffing is as full as it can absolutely be. I want to go into hurricane season with at least 95 percent of our allotted slots full. We are working hard toward that.

I think right now we are probably somewhat less, maybe 85 percent, right in there. But I have 243 people in the pipeline to bring aboard so those hopefully will be coming on fairly soon.

We are working hard. I have tasked our HR department to not only use their personnel, but I am getting assistance from HR peo-

ple from other departments and even contract support to help recruit and bring people in.

We just advertised this last week in three major newspapers in Washington, Boston, and Philadelphia for hiring to attract people to bring in, to bring good people in.

What I do not want to do is just put bodies in there. They have to be good people. But at the same time I have to make sure that we move as expeditiously as possible to fill these slots. Our people are tired. A lot of them have literally been working 7 days a week. So we have to have enough staff going in where there is going to be relief for them.

A major concern for me and it is one of my top priorities, quite frankly.

Senator VOINOVICH. Thank you.

The last comment I want to make involves the House cuts to Secretary Chertoff's MAX HR program. If the MAX HR budget is reduced, the Department will not be able to fund this critical personnel program. So I know we are concerned about that. And we must ensure that Secretary Chertoff has the money for that human resource initiative.

Chairman COLLINS. Thank you. Senator Dayton.

Senator DAYTON. Thank you, Madam Chairman.

It is virtually impossible to run an Executive Branch Agency from the legislative side, but that does not prevent any of us from trying.

I was interested about what my friend and colleague, Senator Akaka, said about the benefits of the regional office in Hawaii. If you are looking for volunteers to eliminate a regional agency, I would like to volunteer Region V in Chicago, which I find I cannot assess whether that is indicative of the problems with FEMA or whether it is an exception, but it is in itself a problem.

I do not have the time to give you the opportunity to review documents. In fact, I just received the letter myself yesterday from the correspondent for the Secretary of Homeland Security, to whom I gave a letter about this predicament in Roseau, Minnesota. I handed it to him at the Committee on March 1 of this year. And now, after considerable prodding, received a letter almost 3 months later. That tells me something right there, if I cannot get a letter of response to my inquiry for almost 3 months.

The letter also indicates that whoever wrote this, I guess it is the central office, or at least on behalf of Region V, claims that they have not received an appeal of their decision that had to be submitted by the State of Minnesota on behalf of the City of Roseau. They had not received it as of the date of this letter, May 23. The State's records are that it submitted the appeal to the FEMA Region V office on or about February 3 of this year. So that is, again, a period of 3½ months during which the city thought that the Region V office or the Washington office was reviewing this appeal. And according to this document, the appeal has not even been received.

We are talking about, well I was going to say ludicrous and also lunacy. I mean it literally drives—and I know these people in Roseau, Minnesota. It is a little town of 2,700 people. It got flooded in June 2002, as wiped out as New Orleans was, just being a

smaller city. The whole downtown, everything except the Polaris plant, was totally submerged in water. And that survived only because as people lost their homes to the flooding or to the sewage backing up, they went and all joined together to sandbag around the Polaris plant because that employs 1,900 people. And they knew that if that went under, the whole town would basically collapse.

So these are hard working people, good honest people. No one is perfect, but these are straight shooters. And they have tried to deal with this bureaucratic black hole for the last 4 years.

And the nonsensical decisions that are made and foisted upon them, and the changing cast of characters. FEMA sends up one technical assistance contractor to advise them, and these I guess are private contractors hired by FEMA so there is a whole question of quality control and consistency of information, just knowledge of FEMA's procedures there. That one person assures them to follow these procedures and do not do other things. Then they are told subsequently, by the Region V office, that they were supposed to have done these and not those. And then FEMA sends up another technical assistance consultant, contractor, who then countermands what the first one said. And then that one is pulled off the job.

It is like a Saturday Night Live skit, except it is not funny. And meanwhile the clock is ticking. You talk about the next hurricane season, we are talking about the Red River which floods regularly. This is now the fourth year that they have faced the prospect of another devastating flood and they cannot get the flood projects—they cannot get the formerly existent, now devastated, downtown reconstructed.

It is just staggering, it really is. You are taking on this assignment. I just encourage you to look at it from the ground up. And if this is going to be a streamlined, efficient, and effective response mechanism of the Federal Government, I do not know whether the regional offices are an ally or an obstacle to that objective. There has to be some accountability. And there has to be a timeliness of response, that people can ask questions and get answers. They can ask the same questions of different people and get the same answers.

They showed me the manual that they were given, basically said here is the manual, follow this. It was 4 years outdated. It was factually incorrect. Things have changed. FEMA cannot even publish a current manual to give to the local officials that have been devastated by a disaster.

I just think that the whole thing is so dysfunctional now that I supported parts of what the Chairman, Ranking Member, and others have proposed about whether this is reorganized or not under one agency or freestanding, to me is secondary to having it reformed internally, streamlined, and consolidated.

And frankly, if you have unfilled positions, you have an opportunity not to just fill those boxes on an organizational chart with new people but doing the same things. You have a chance to rethink, something that almost has never been done and almost would be a Herculean task in the Federal Government.

But if we are ever going to get beyond these agencies that are so mired in their own bureaucracy and so overburdened with all of

these laws and regulations and everything else that they cannot act either in a situation like FEMA, which is an emergency response and by definition has to act. You have an historic opportunity.

And I just hope you will come back here after I have left but come back here and tell these colleagues of mine what is necessary to just go from the ground floor up and start to create an agency that can be responsive to people. Trust people, hold them accountable, but then allow them to act and give them the resources to do so.

Thank you, Madam Chairman. My time has expired without a question.

Mr. PAULISON. Can I just make one comment?

What I do want to do, though, is particularly on that one issue, Ed Buikema is the Director of Region V, and I am going to task him personally to look into the issues you have talked about and, if it is all right with you, have him contact your office.

Senator DAYTON. I will fly to Chicago to meet with him, happily. Or if he is out here, I would be happy, in fact, even prefer to meet with you and with him after you are confirmed. Thank you.

Mr. PAULISON. Thank you, sir.

Senator DAYTON. Thank you.

Chairman COLLINS. Senator Carper.

Senator CARPER. Thanks, Madam Chairman. Chief, how are you this morning?

Mr. PAULISON. Fine, thank you.

Senator CARPER. I am sorry I missed your statement. I certainly will read it with interest. Anybody here from your family?

Mr. PAULISON. Yes, I have my wife, Kathy, behind me and my daughter, Beth.

Senator CARPER. Which one is which?

Mr. PAULISON. You just made a friend, I can tell.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. I would say thanks to both of you. Thank you for sharing your husband and your father with our country.

We had an event down in Southern Delaware the other day at the beach with a fellow named Jamie Turner, who you may remember. Jamie is head of DEMA, Delaware Emergency Management. And he and others in our state send their best wishes to you, and regards.

We talked a bit about readiness for the upcoming hurricane season. We have been blessed in our State, we have not had a real head-to-head with a hurricane for about 50 years. I want to say it was Hurricane Hazel right around 1954. But it has been a long time.

We have had plenty of tropical storms, a lot of Nor'easters and brushes with hurricanes, but nothing real serious.

I am told that the seawater in the Atlantic Ocean off of our coast is a good deal warmer this year. Somebody told me by as much as six degrees, which sounds like an aberration. But whether it is six degrees or a couple of degrees, it is apparently warmer.

I wonder what implications that might have for the likelihood of a hurricane actually coming to a place where it does not often

come, and that is the DelMarVa Peninsula. We try to be ready, thought we were ready on the Gulf Coast for a pitch well telegraphed, and that was Hurricane Katrina. It turned out we were not ready at all.

My hope is that we are ready on the DelMarVa Peninsula. But I would just ask you what do you think that FEMA might be doing, ought to be doing to help prepare for storms in communities like ours, where frankly we have been lucky in recent years?

Mr. PAULISON. First of all, let me just say that you have an outstanding emergency manager in Jamie Turner. He is one of the best in the country. It has been a pleasure working with him. He is very professional and really knows his job.

Senator CARPER. It is kind of a small world. Your daughter is here. And if you end up as head of FEMA, she will be like first daughter or something. But Jamie Turner, who is head of DEMA, his daughter is my scheduler. She tells me where to go every day, a job a lot of people would like to have.

Mr. PAULISON. I was just in Miami at the Hurricane Center. We kicked off Hurricane Preparedness Week with Max Mayfield and had this very discussion you are talking about, about the Gulf being warmer. Also, some of the trade winds are not favorable for hurricanes moving into the Atlantic.

So we have to caution ourselves that, although we have to focus on the Gulf because of the vulnerability of having 112,000 families in travel trailers and the weakness of the infrastructure, we simply cannot allow ourselves to neglect the Atlantic Coast where, quite frankly, the bulk of hurricanes actually hit.

And you are right, your State and those around you have been very lucky in the last decade or so, couple of decades, about getting storms.

One thing that concerns me is complacency. When you have not had a hurricane in a while, people do not necessarily take care to prepare themselves for hurricane season, with their 72 hours of food and water and medicines.

Senator CARPER. Ironically, excuse me for interrupting, it is not just places where hurricanes have not hit in a while. It is even places where they do.

Mr. PAULISON. That was going to be my next comment. Even in South Florida, where we came off of Hurricane Andrew and several other hurricanes in this year, what I saw was not a lot of personal preparedness. So that concerns me.

I do have a lot of confidence in your emergency management system, though, your State, Senator Collins' State, and others up and down the East Coast. I think that Hurricane Katrina was a wake-up call for emergency managers across this country, for all of us. It is going to be a defining moment this year in emergency management. I see a really renewed interest in people checking to say OK, we thought some of the Gulf Coast people were ready and obviously they were not. Am I ready?

A lot of emergency managers are questioning themselves. So I think that is happening.

My concern is the personal. Are they going to evacuate when they are told to evacuate? And are they going to prepare them-

selves if they are not in an evacuation zone but in a high wind zone?

Some of the messages we are trying to get out is make sure you are prepared. We are also doing an evaluation of all of those evacuation plans up and down the Atlantic Coast. Are there good plans in place? Are the shelters in place? What routes are they going to take? Where are people going to go? Where are they going to stay? Those are all important pieces that have to fit together for this system to work.

Senator CARPER. One of the folks from your team in the Region III area was with us at this, really it was a session with DEMA, some of our Congressional delegation, the local towns and managers and mayors and so forth.

The lady who was there from FEMA talked about the repositioning of materials and equipment that maybe had not been done before. She talked about 40-foot trailers, 20-foot trailers, and so forth that were being positioned now.

What kind of materials and equipment are in those trailers and how can they be helpful?

Mr. PAULISON. I briefed the staff earlier. We have doubled, tripled, and sometimes quadrupled the number of supplies that we had prior to Hurricane Katrina. So we are talking about food, basically MREs and other meals ready to eat, different brands, food, water, ice, blue tarps, medical supplies, all of the things that we normally have that we will use to respond to a disaster.

We are really bulking up on those supplies, putting GPS tracking systems in the vehicles. And also we are going to have a very aggressive pre-positioning plan.

At least with hurricanes, we know when they are coming. We know when they are coming and pretty much where they are going. The 5-day forecast that the Hurricane Center at NOAA is using now is as accurate as the 3-day forecast was 10 years ago. So we are getting much better at that.

So we are going to be able to preposition a lot more. We are going to be very aggressive in repositioning people, equipment, and supplies.

Senator CARPER. Has my time expired, Madam Chairman?

Chairman COLLINS. It has.

Senator CARPER. Is there going to be a second round?

Chairman COLLINS. We are going to do a second round.

Senator CARPER. Great. Thanks so much. Thank you.

Thanks again, and welcome.

Chairman COLLINS. Mr. Paulison, the attacks on our country on September 11 revealed a serious problem with a lack of compatibility of communications equipment used by first responders and by local, county, and State governments. Unfortunately, we learned again last year, with Hurricane Katrina, that much the same problems still exist.

In fact, in one parish there were two separate and incompatible communications systems being used.

In November 2001, when you had your nomination hearing to be the U.S. Fire Administrator, you were asked at that point about the problems associated with achieving interoperability. And you called this a "major issue." And you said, "I think the long-term so-

lution is a countrywide communications system. We are talking about setting up satellites and towers across the country where we can have an emergency frequency across the country that everyone can tune in to when they have a disaster."

You went on to say that the Federal and State Governments need to help finance such a system for first responders.

It is 4½ years later, Mr. Paulison. Are we any closer to making real gains in having compatible communications equipment for our first responders?

Mr. PAULISON. I think we are a lot further along. We are not where I predicted we needed to go, as far as a nationwide communications system. However, we do have a lot of ability to make our radios interoperable with some different types of technical equipment. Inside of FEMA, we have quite a few of that stuff that we purchased now where we can go into a local community and help them make their radio systems interoperable.

What you mentioned is rampant across the country. We will have the police on 800 megahertz, we will have firemen on UHF, and the public workers on VHF, and just all over the place. And when it comes to the time of a disaster, there has to be an ability to communicate with each other in some form or another.

There are different ways to do that. You can do it with swapping radios. You can do it with using units that put those together like a JPS 1000, and there is a lot of other places to do with protocols and things like that.

I think we are further along. We are not where we need to be. This is something we still need to pursue as a country. We have a ton of firefighters sitting behind me that are here supporting me, and I did not thank them earlier. So thank you, guys, for being here. And they are very well aware of this interoperable issue.

We are making progress. We have our 700 megahertz system out there now. But at the same time, we are not where we need to be. And I pledge, as far as FEMA is concerned, and I know that Secretary Chertoff is extremely interested in this project. We have to develop a nationwide communications plan of how we are going to communicate when we have these disasters.

So I am committed to stick with it. It is something we have to do. And we are not quite where we need to be yet.

Chairman COLLINS. In addition to equipment problems, whether it was equipment that did not survive the storm or equipment that was incompatible, there was a problem with communications that simply involved people not communicating. You touched on this in your response to a previous question and in your opening remarks.

What specifically has FEMA done to ensure that decisionmakers across the country have better access to real-time accurate information? It was just appalling for this Committee to learn that officials in Washington, that officials at Northern Command, which were responsible for mobilizing military assets, did not know in a timely fashion that the levees had broken in New Orleans. That was only the greatest example, but that was repeated time and time again.

I believe that we have made real progress in pre-staging commodities. But if we have not improved the ability for key decisionmakers to understand what is happening on the ground, we will not improve the response.

Mr. PAULISON. Senator, you are right on target. What happened in Hurricane Katrina, as far as communications, was simply unacceptable. We have put several things in place. I did talk about a couple of them.

One I do want to talk about is situational awareness. We have created teams inside of FEMA and also inside of DHS that will be prepositioned, pre-deployed. They have the capability of satellite communications and land mobile radio communications, including video streaming, beam it back to here in Washington and to our Joint Field Office.

I think one of the most important things that I saw during Hurricane Katrina is a lack of—it was not a unified command post where everyone participated, including the Federal Government. We just had two hurricane exercises at the White House level, one at the assistant secretary level. We had one last week at the deputy secretary's level. There is one today at the Secretary's level, just dealing with the National Response Plan and the importance of our Joint Field Office. Now everyone has to be in that place doing our planning, our first block of 12-hour planning, then our second block of planning, and how we are going to communicate with each other.

That is going extremely well, I have to tell you. So that part is going to be fixed.

The other part is communication with the State. We did not have good communications with the State. We fixed a little bit of that in Hurricane Rita and then much more so in Hurricane Wilma. During Hurricane Wilma, we had up to 30 FEMA people inside the State Emergency Management Office. We had people at the Hurricane Center. We had people in some of the key counties around, where we knew what was going on, knew what the needs were of the State, and could react as quickly as possible.

So those are the types of things that we are doing because, as you pointed out, communication is as important if not more important than anything else. If you do not know what is going on, you cannot help.

Chairman COLLINS. Exactly. Thank you. Senator Voinovich.

Senator VOINOVICH. Chief Paulison, one of the things that I think impacts upon your job is our Federal investment in infrastructure. And I think that Senator Collins and Senator Lieberman did an excellent job investigating Hurricane Katrina.

But I think, as we learned at several EPW Committee hearings, that if the Congress had given the Army Corps of Engineers the budget that it needed to strengthen the levees, New Orleans might not have suffered such severe levee breaches.

I was shocked to find that the Army Corps of Engineers did not have as one of their priorities the protection of life and property. Instead, the projects are primarily oriented toward economic considerations.

I would suggest that there should be better communication and alignment between the Army Corps of Engineers and FEMA regarding pre-disaster mitigation and setting priorities. I would be interested to hear what you have to say about that.

My second concern is interoperable communications. I will never forget when I was governor of Ohio, I got criticized roundly. We

spent \$240 million to put in a new interoperable communications system.

The question I have is, what responsibility does the local and State Governments have in terms of putting that into place? And what is your opinion of the Federal Government's role in ensuring the States achieve interoperability? Would you support a matching program?

My third concern is the Emergency Management Performance Grants. I have been trying to get more money every year for EMPG. FEMA is only as strong as the State organizations you work with throughout the country.

I know that our mutual friend, Dale Shipley, has assisted DHS in conducting a nationwide preparedness review. I would suggest, and maybe you have already thought of it, FEMA could send letters to the governors to let them know they are not where they are supposed to be in the nationwide preparedness goal.

The reason I suggest that is when I became governor of Ohio, we did an analysis of the county organizations and found out a lot of them were not prepared. We could not get any action. So I sent letters to the county commissioners expressing my concern that they were not ready to respond to disasters. And I released the letters to the press. And it is amazing, something got done, and the counties began to work toward improving preparedness.

So I would be interested in your comments on all three of these areas.

Mr. PAULISON. I do have regular communications and meetings with the Army Corps of Engineers to make sure that they know our issues. I think you have pointed out something accurate. Our infrastructure system across this country, a lot of our levees were built 50 or 60 years ago.

My own home State, right around Lake Okeechobee, now we found out that we have problems with those levees.

Sacramento is another one that we were dealing with 3 weeks ago because of all the rains we were having.

A tremendous amount of rain up in the Northeast in three States up there, and we are already dealing with assessing declarations for those three States. We are working with the Corps very closely.

Our piece of it is we do not deal with the levees themselves. But what we are doing is we are identifying those critical areas, those weak areas, and going into those cities and States and helping them devise—

Senator VOINOVICH. One of the things that you ought to do is let us know what those critical areas are so that Congress can highlight them in terms of priority and also examine whether there is an adequate sum of money to address weaknesses.

Mr. PAULISON. Understood. What we did in Sacramento, per se, and then also we are doing in Florida is helping them devise good evacuation plans because that is what FEMA does, and making sure there is a method to move people out if there is a levee breach, where are they going to go? How are they going to be housed? So we can step in where we can legally help them with some of those things. That is our part in that. Of course, that is an aftermath part. But at the same time it is the Corps responsibility for the levees, but we are working with them on that.

Communications, it is a major issue like we talked about earlier, about how we are going to communicate with each other. A lot of it, quite rightly, does fall in the lap of the local communities. It is their radio system. But oftentimes, especially the way sometimes the economy is, local communities—especially some of the bigger cities that do not have the tax base anymore. You take Philadelphia and Pittsburgh and other places like that where they are losing people out of the inner cities, it is tough for them sometimes to come up with the money to develop sophisticated communication systems.

Senator VOINOVICH. The point is, what is the responsibility of the Federal Government? And what is the local responsibility? In other words, I think we maybe ought to have a match program that says if States come up with some of the money for the communications, the Federal Government will assist. But the cost should not fall entirely on the back of the Federal Government. Some communities want us to pick up the entire tab, but I do not think that is a Federal responsibility.

Mr. PAULSON. Understood.

The EMPG, I think you are correct on that, also. Our State emergency managers are the key. It is very difficult for FEMA to come in and plug into a system when that system is broken. So it is important for the State emergency managers to be up to speed.

I just had a conversation 3 days ago with Bruce Baughman, the current President of the National Emergency Managers Association, and we are going to be working with them to put together some type of an evaluation process where we can go to the States and do an assessment of what their capabilities are and find out where their weaknesses are and help put that together.

So we will deal with some of the things you just did, like you said in your community, where you did an evaluation of all of the counties.

So we are in a very preliminary conversation with that, but that is what they want to do, and we are looking at how we can help them do that to find out exactly where we are as far as preparedness across this country.

Senator VOINOVICH. Thank you.

Chairman COLLINS. Senator Carper.

Senator CARPER. Thanks, Madam Chairman.

Senator Coburn, who may have been here earlier, he and I serve as the Chairman and ranking Democrat on one of the Subcommittees of this Committee.

Last month we were down in New Orleans, we had a field hearing. I think I mentioned this to you when you were good enough to come by and visit with me.

Among the things that we heard about were what sounded like a no-bid contract that went out for debris removal. The prime contractor hired a subcontractor, who hired a subcontractor, who hired another subcontractor who actually did the work, it sounds like for if not pennies on the dollar, nickels on the dollar. And all the different levels of subcontractors got some money out of it. It was dismaying to hear about that sort of thing.

We heard folks talk to us about the blue tarps. And flying around down there in the helicopter, we saw plenty of blue tarps. We understand how they can play a valuable, useful role.

We also heard stories that some of the money spent on putting blue tarps on roofs cost almost as much as a new roof might have cost.

We heard from folks who talked about the amount of money that was spent on these trailers to come in and provide temporary housing for folks, a lot of whom apparently were not actually used in the end.

It certainly makes us angry, as Members of this Committee and Members of the Senate, but it sure makes taxpayers angry, as well.

Just take a minute and tell me what you, as the Director, can do to ensure that kind of thing does not happen again?

Mr. PAULISON. I think you are recognizing some of the same things we are recognizing, particularly with debris removal. We know it has been an issue.

One thing we have done is we have taken away the discrepancy in our reimbursement between what we reimburse if you use the Corps and what we will reimburse if you use a private contractor. They are going to be the same now. Whatever the reimbursement is, whether it is 100 percent, 90/10, or 75/25.

We are also putting together a registry of debris removal contractors, giving the flexibility to the local communities to choose who they want to choose. They can either use the Corps, which may have to happen at least in the first couple of weeks because generally the local contractors are not up and ready yet, or they can choose to use a contractor off the registry or anybody else who is qualified to do the job.

That will give them a tremendous amount of flexibility in debris removal and also probably cut down on some of the same issues that you just talked about, about three or four contractors in a row and the last guy on the end is the one getting paid for it.

Senator CARPER. Unfortunately, they all get paid something. The last guy at the end is actually doing the work.

Mr. PAULISON. But the bottom guy is not getting paid probably as much as he should.

The blue tarps, they can be expensive sometimes. But quite frankly, there is no other option. There simply are not contractors, nor are there building materials available, to put a new roof back on at that time. And the blue roof is the only option we have.

I went to Miami over the weekend to visit with Max Mayfield. And when I flew in I was amazed at the number of blue tarps that are still there. And they talk to people, and they said I cannot get a contractor, I cannot get material. If I find a contractor, he cannot get shingles or roofing tile.

I know it took us a while just to get tile for our roof down there. Luckily, we did not have any leaks, so it was not a big deal.

The same thing with the trailers. The trailers can be expensive. It is not our first choice in putting people in housing. Unfortunately, it was all we had down there. There was no housing stock. There was no place to put people. The travel trailers work extremely well. We can back them up in somebody's driveway, minimal hookup, hardly any permitting to do that at all, and those

move very quickly. About 80 percent of our people that are in travel trailers are actually in their own driveways, so that works out well.

To do a mobile home park, we have to go and put infrastructure in. We have to put water and sewer, electric, security, and lighting in. It gets very expensive to do that, and we do not really like to do that.

Unfortunately, particularly in Louisiana and parts of Mississippi, we really did not have a choice. If people were going to be housed, that is all we had to house them in.

Senator CARPER. I have a couple of questions I want to give you for the record with respect to the trailers, but I will just do that for the record. If you would respond, I would be grateful.

Mr. PAULISON. We will be glad to, sir.

Senator CARPER. The other thing, I think I heard Senator Voinovich talking about communications. When he and I were in our old jobs, one of the things we undertook in Delaware was to put in place a statewide 800 megahertz radio system to provide for interoperable radios for all of the first responders, fire, police, State, or DEMA people, National Guard, all kinds of folks.

It has been difficult to get it to work as advertised, but eventually we have tweaked it and worked with the contractor long enough so I think it is a pretty good system today. It has been about 7, 8 years, 9 years that we have been working on it.

We saw a lot of widespread total collapse of communications in New Orleans. You and I talked a little bit when you visited with me last week about how we can avoid that kind of communications failure in the future.

For the record today, would you just talk about that some more, please?

Mr. PAULISON. I think one of the issues, as we rebuild back some of these communication systems, that we harden them so that they will withstand some of those winds. Just in Hurricane Andrew we lost all of our towers where Hurricane Andrew went through, and there was no ability to communicate. We ended up taking a 100-foot ladder truck and putting a portable repeater and a Honda generator on top of it. And that was our communications for the whole south end of the county.

So as we rebuilt, the new towers that went up were hardened to withstand hurricane winds. That is one of the things we need to do. But also, we can move in with our MERS system and set up temporary communications. We also work with a lot of the private contractors to move in, people like Macom and Motorola who can move in quickly to help set up a system right away for the local community.

In the short term we can help them do that. We can bring trucks in with towers. It is not perfect, but at least they can communicate in local areas. So that is some of the things we have to do.

We can also bring in equipment to help them with their interoperability. We can put their radios together through some of our systems, where you can have police, fire, EMS, public works, everybody can talk to each other.

Again, it is not a perfect system, but right now it is much better than what we were just a few years ago.

Senator CARPER. What was the line from the old Paul Newman movie, what we have here is a failure to communicate?

Chairman COLLINS. Cool Hand Luke.

Senator CARPER. Cool Hand Luke. There you go.

That is part and parcel of what happened, and Hurricane Katrina is part and parcel of what happens in other places, as well. We know it is going to be a challenge. We know it is going to happen. We just need to be ready for it. And the State and local governments have an obligation as well. It is not all on your back.

Thank you for your willingness to serve in this capacity. We look forward to working with you.

Mr. PAULISON. I look forward to working with the Committee, also. Thank you very much.

Senator CARPER. Thanks so much.

Chairman COLLINS. Mr. Paulison, I want to follow up on an issue that Senator Carper just talked to you about on the expensive and unnecessary reliance on sole source contracts in the wake of Hurricanes Katrina and Rita.

FEMA awarded four large sole source contracts to provide temporary housing. Originally, these contracts had ceilings of \$100 million. In the fall of 2005, in response to a greater demand for temporary housing, FEMA increased the ceilings on each of these contracts to \$500 million.

When you testified before our Committee, we expressed this concern to you. You said you were no fan of sole source contracts, and you indicated that you would get those contracts competed.

But what happened is while some of the peripheral requirements contained in the contracts were stripped out and awarded competitively to small and local businesses, the main portion of the work continued to be done by these four large contractors.

Then, in February 2006, the value of two of these contracts was raised again. The largest is now valued at \$1.2 billion, and DHS has told our Committee that the ceiling is rapidly being approached.

I think we could all agree that awarding nearly \$3 billion in sole source contracts does not ensure the best value for the taxpayers. What are you going to do for the future to make sure that we do not have a situation where literally billions of dollars are going out of the door without competition, without any assurance that the taxpayers are getting the best price or the best quality?

Mr. PAULISON. Senator, everything you said is right on target. Those four contracts were put in place where they were halfway through a bid process. That is not the way to do business.

We have rebid the four bids. The ones we stripped out, actually we ended up taking all of what they were doing locally as far as the maintenance, security, breaking down the trailers, those types of things, and rebid those out to small and disadvantaged local companies. And we ended up giving them, I think 37 companies, almost \$3.5 billion worth of work at the local community.

We have since rebid the big contracts. They are out on the street, and they will be awarded probably about mid-June, I would guess, is where we will award the four big ones, if things go smoothly, as I hope they go.

I do stand by my statement. I do not like no-bid. I do not like sole source contracts. That is why we got into the place we are now. The contracts were not crafted as they probably should have been because they were done in a hurry.

So what FEMA needs to do, and what we are going to do, is to make sure we have contracts in place prior to hurricane season as much as possible. And not just for the four bids but everything, all of our commodities, our food, and our water, all of those types of things. Those contracts need to be bid out, awarded, and put on the shelf. We can take them off when they are needed. That gives us more control over what goes into the contract, more control over the contractors' work and what their responsibilities are. So that is what we are doing to fix that problem, and it is so important that we do that.

There may be an occasion where something comes up in the middle of a disaster where we did not have a clue we were going to need it and maybe have to do either a no-bid or sometimes there are true sole source, where that is the only company that can do that.

But that should be the exception, not the rule, like we have had in the past.

Chairman COLLINS. It should be the exception, but what we are talking about here are services and commodities that are easily anticipated. You know you are going to need ice. You know you are going to need temporary housing. You know you are going to need tarps. You know you are going to need debris removal.

It is interesting because if you contrast competitive contracts issued by counties that planned ahead for debris removal, for example, they are getting far more debris removed at a far lower price. So I am pleased to hear that you agree we need to anticipate these needs and that you have taken actions to ensure that we do so.

All of us understand the truly unanticipated need or the true sole source provider. But that is really not what we are talking about in this situation.

Mr. PAULISON. You are right; we are not. And we do agree with you that we should have all those contracts for commodities in place ahead of time and not wait until the last minute to do those.

Chairman COLLINS. To ensure its credibility and to restore the public's confidence in FEMA, FEMA needs to do a good job not only with the huge disasters like Katrina but also in responding to smaller disasters that still qualify for public assistance and that still have an enormous impact on the people who are affected. Senator Dayton has expressed his frustration with one in Minnesota.

As you know, we recently suffered enormous rain storms in the State of Maine. Some small towns were drenched with more than 12 inches of rain in a very short period of time. That resulted in severe flooding, rivers overflowed, streets flooded, dams buckled, bridges were washed away.

The timing of this for coastal Maine has really been a catastrophe. Many of these communities rely on tourism for their economy, and many small gift shops and restaurants had just stocked up for the beginning of the Memorial Day summer season, where they make most of their money.

Last week, the State of Maine requested a major disaster declaration for Southern Maine. Could you bring us up-to-date on when we are likely to hear a decision on that request and what FEMA is doing to help the small business owners and also the homeowners? Two hundred homeowners were forced to evacuate their homes. Again, I realize this is not the scope of a Katrina, but it is absolutely devastating for the towns that were affected.

Mr. PAULISON. No, you are right. If it is your house, it is a disaster, regardless of how many other houses it takes down. I am very sensitive to that.

Actually, we have had staff working all last week and all over the weekend, processing not only the declaration from your State but the other two States also. They are in our office now, out of the regions here, and we are diligently working on them to get them out as quickly as possible. We are very sensitive to the economic impact it is going to have. So we will process them absolutely as quick as possible.

And by the way, our regional directors up there have been working very closely with all three States and have had great cooperation to find what their needs are, and we are right there with it.

The timing, the fact that I am coming in front of your Committee was also significant. So we are moving as diligently as possible, Senator.

Chairman COLLINS. I am going to be talking to the governor in an hour from now. Do you have any idea when we might hear whether or not the declaration has been approved?

Mr. PAULISON. I really cannot. I just need to go back and look at it. I was kind of getting prepared for this Committee. I did get briefed early this morning, and we do have all the stuff and have all of the packages. They all look like they are in good shape, so we are going to process them as quickly as possible. Just share that with the governor, and we will be glad to call him as soon as we are ready.

Chairman COLLINS. Thank you. Senator Voinovich.

Senator VOINOVICH. I have a couple of questions.

In the wake of Hurricane Katrina, it seems the pendulum has swung away from terrorism and back toward natural disasters, with FEMA focusing significant attention on hurricane preparedness and response. Is FEMA maintaining an all-hazards approach? How will you work to ensure that the Agency achieves readiness for all threats, whether man-made or natural disasters?

My other question concerns FEMA's absorption into DHS. There are some people that have said that the merger with DHS has really hurt FEMA. Do you believe FEMA's absorption into DHS hurt FEMA? If so, do you believe that the damage was a result of structural change or poor management?

If you are confirmed as Under Secretary, what will you do to better integrate FEMA into the Department?

Senator Collins and Senator Lieberman have some suggestions on reorganization. But I know from talking to Secretary Chertoff, he has indicated to me that you are just having a hard time doing what you are doing right now.

I think the key is to continue integrating FEMA into the Department of Homeland Security and ensuring that you are utilizing all

of the resources and that you are prepared for not only natural disasters but also for—hopefully we will not have to respond to one—a terrorist attack.

Mr. PAULISON. I am absolutely committed to the all-hazards approach. That is the right way to respond. It does not matter whether an earthquake takes a building down or a terrorist blows it up. The response is the same. The building comes down differently, but the response is exactly the same from the local level, from the State, and from the Federal Government.

So it does not make sense to say this is for hurricanes, this is for something else. We are going to take the all-hazards approach and continue taking that because that is the right thing to do.

On the other part, I will speak from my experience. I am not going to point fingers at anybody else as to what happened in the past. But I can tell you that being part of the Department of Homeland Security has been a tremendous asset for me personally in helping put FEMA back together. The resources inside Homeland Security that I can depend on that are right at my fingertips, Coast Guard, ICE, Border Patrol, Secret Service, all of those operational components, I meet with them every week, and we discuss these issues.

Literally every week we have an hour-and-a-half meeting on how we are going to continue to coordinate, how we are going to share resources. And quite frankly, they are all personally, every one of the directors have personally offered their assistance in helping get FEMA back on its feet again.

So for me it has been phenomenal. The support that I have gotten out of Secretary Chertoff and Deputy Secretary Michael Jackson has been remarkable. The amount of time they have put in working with me, helping us put the retooling system together.

We meet with the Secretary every week for about 2 hours, going over the retooling, he is making sure that we are on track, what our needs are, where are our shortfalls, where are we doing well, where are we not doing well? So I could not ask for better support.

With the deepest, and I mean this sincerely, the deepest respect to this Committee, reorganizing FEMA right now is not the right thing to do. We are still in the process of putting this organization back together. I think that I am on the right track. I think that you will see that the response that we have this year will be significantly different than we have had in the past. And I would just ask that you allow me to continue working with you on these issues.

Your report is going to be a tremendous help for us. It is obvious that this Committee and your staff has a tremendous amount of knowledge that we can glean based on the investigation that you have done. So we want to continue working with the Committee through this next year.

Senator VOINOVICH. I would just like to say that I would like to have what you are doing in writing.

Mr. PAULISON. Are you talking about the retooling effort?

Senator VOINOVICH. Retooling and integration and how you are proceeding.

Mr. PAULISON. We can do that. Yes, sir. That is not a problem.

Senator VOINOVICH. Thank you.

Chairman COLLINS. Senator Carper.

Senator CARPER. Madam Chairman, I apologize for being sort of in and out of the room. You are competing with the Prime Minister of Israel, Prime Minister Olmert, who is addressing at this moment a joint session of the Congress. In fact, he just has concluded his remarks.

The fact that we were here bears testimony to how important we believe—I acknowledge that the situation in the Middle East is important. I know it is to my two colleagues here and to me. But this is enormously important as well. So we are delighted to be here to have this opportunity to have this exchange.

My staff informs me, Chief, that next week the four national contractors who have been installing and maintaining FEMA trailers for those dislocated by Hurricanes Katrina and Rita will turn over the maintenance of those trailers to smaller local companies. I also understand the turnover will be handled in phases through the month of June.

And while I strongly support moving away from the no-bid contracts that we talked about earlier, that were awarded earlier in the recovery, and supporting local businesses, we want to make sure that this turnover is a smooth one. I am sure you do, too.

I do not know to what extent you are familiar with this, but if you are able to, can you just give us a minute or so and explain how FEMA will manage this kind of turnover?

Mr. PAULISON. This is a concern of everyone. We cannot just have one company move out and another move in. The four big contractors are still there, doing the haul and install, for a short period of time anyway. But they are committed to make this transition as smooth as possible.

We are transitioning out the maintenance, the day-to-day maintenance of the trailers and mobile homes. We are transitioning out the security. We are transitioning out all of those types of things to do with the breakdown of the trailers and things like that and bringing a lot of these small companies on board to do it.

I think I told the Committee earlier we have, I think, 35 or 37 companies that are going to receive bids for about \$3.5 billion worth of work. It is going to be significant for the local community to get these type of dollars in there and put that money actually where it belongs.

We are working very hard to make sure the transition is smooth. We will have our contracting officers down there, also, to make it as smooth as possible.

You were out of the room, but we have also rebid those big nationwide contracts.

Senator CARPER. Good.

Mr. PAULISON. Those are out on the street. And we will have—I cannot say we will have new contractors because these people have the right to compete also. But we will have new contracts in place that are much better written and will be much better managed than the ones we have had in the past.

Senator CARPER. Good.

I said a minute ago I support the idea of giving contracts to local businesses if they are able to do the work. However, we want to

make sure that the services that we contract for are provided and we contract with qualified businesses. I know you share that view.

I understand there may be some concern on the ground, at least in Louisiana, that some of the companies taking over the trailer maintenance contracts may not be the most qualified. You have sort of spoken to this, but I am going to ask you to address it again.

Can you explain how companies that bid for FEMA contracts are vetted? And how, for example, a bookkeeping company might have been found qualified to manage a multimillion dollar trailer maintenance contract?

Mr. PAULISON. I am not quite aware of that one, but I will check into it. I do not get into the nitty-gritty of those types of things. We have professional contracting staff that we are using, and not just out of FEMA. We have people from other agencies that are helping us, GSA and some others, to go through to vet through this list of people who bid because quite a few people bid on these contracts.

I have to have confidence in the staff that they are picking qualified contractors.

Again, if you have individual ones that I need to check on, I will be glad to do that. I simply do not have the time to get that deep into the woods sometimes.

Senator CARPER. I understand.

Mr. PAULISON. Thank you, sir.

Senator CARPER. Those are my questions.

Again, Chief Paulison, thanks for being with us. Thanks for your service to our country. And to your family, thank you for sharing your husband and father with us.

Thank you.

Chairman COLLINS. Thank you, Senator.

Mr. Paulison, I just have a few more questions. I actually have many more questions, but I am only going to ask you a few of them.

One difficult issue that FEMA faces is the appropriate role for FEMA vis-a-vis State government vis-a-vis local government.

On the one hand we have always had a bottoms-up emergency management system with substantial responsibility placed at the local and State level. On the other hand, we have the reality that some States, such as the three of ours, do a better job than other States in carrying out their responsibilities.

Obviously, you do not want to create a perverse incentive for States to abandon their responsibilities. You want to make sure they are making the investment, that they are not just relying on the Federal Government to completely take over emergency management.

But on the other hand, you have the reality of a State like Louisiana, which has admitted that it is not prepared for this hurricane season. What do you do if the Federal Government steps in, as it really must because it cannot allow people to suffer? It takes pressure off Louisiana or other States to make the kinds of investments and do the planning that needs to be done.

In a March 31 letter to you, the Director of the State of Louisiana's Office of Homeland Security and Emergency Preparedness

candidly lists several vulnerabilities in Louisiana's emergency plan. It is really quite striking when you read how ill prepared Louisiana is.

I think all of us are sympathetic that the State of Louisiana is still devastated by the hurricane. But let me just read you one example. The letter reads, "We expect that between 200,000 to 300,000 people may need to be provided with shelter in the event of a regional evacuation from the Southeast portion of the State. The State of Louisiana currently has shelter capacity for approximately 80,000." It does not come close to meeting what Louisiana predicts would be the projected need.

There is also a discussion about the number of nursing homes and the lack of an adequate plan to evaluate nursing homes. To me the most tragic testimony that we received during our hearings was learning of the failure to evacuate nursing homes which caused the loss of dozens of lives needlessly in Louisiana and was such a contrast with Mississippi, which did evacuate its nursing homes.

This letter outlines tremendous needs for pre-storm assistance and evacuation, in the aftermath of the storm in sheltering, in transporting people with special needs. What do you see as the appropriate role for FEMA for responsibilities that usually are done by State and local governments when you have a State admitting that it cannot possibly cope?

Mr. PAULISON. That letter was actually precipitated by a visit by Under Secretary Foresman and myself down to Louisiana to meet with the State emergency manager, the emergency manager of New Orleans, the emergency managers of four or five of the parishes were there, to have a closed-door, no kidding, what can you do and what can you not do. And that is when we received that letter.

I put two technical assistance teams down there to start working with them, developing their evacuation plans, identify some of these shortfalls and where we can step in and assist them as they build the system back up again, to identify some of the things you just talked about.

It is a fine line you walk. The bottom-up system that you talked about, I mean all response is local. Nobody wants the Federal Government, nobody wants the State to come in. I came from the local community, and I do not want anybody taking over my community.

But the system that we have used for the last 30 years, where you wait for the city to fail or the community to fail and then the State comes in, and you wait for the State to fail and then the Federal Government comes in and let them fail, simply is not good enough.

What we are doing, we are going to be leaning very far forward, not taking over from any State, obviously. We are not going to do that, but be right there by their side as we go through this process, as we go through a disaster to make sure so we can identify where those issues are before there is a failure and bring in Federal resources to help the State and help the local communities.

That is where we have to do this, particularly when you have a State like Louisiana that is extremely vulnerable, and Mississippi also now because of the numbers of people in travel trailers. It is

extremely vulnerable, has a lot of issues they have to deal with that they would not normally have to deal with, like some of the massive evacuations. We have to simply be there by their side. And that is what we are going to do.

We have committed to the State of Louisiana that we are going to do that. There is actually an exercise going on right now as we speak down there that we are participating in with them. Quite frankly, I just got some reports back just before the meeting. There are some problems. But that is good. We want to find all those problems now, during a drill, as opposed to waiting for an actual disaster.

Chairman COLLINS. Mr. Paulison, I know you are familiar with our report and our 88 recommendations. I also understand that you are busy focusing on this year's hurricane season and improving preparedness and response.

Some of our recommendations require legislation, such as the reforms of FEMA. But there are 36 recommendations that FEMA could implement without legislation. Some of them are smaller recommendations, but still ones that would make a difference.

For example, publishing the long overdue field operations manuals, and establishing the regional task forces, or strike teams. That is a major one. Reforming and revising the National Response Plan to make the lines of authority clearer.

I would ask that you pledge to report back to this Committee as soon as possible with your plans on implementing these recommendations. Tell us which ones you agree with, which ones you disagree, and what are your plans to go forth with the ones that you do support.

Will you pledge to do that?

Mr. PAULISON. Actually, your staff gave me the list as I was sitting here so I have it right in front of me. Yes, I do pledge to do that. That is the right thing to do.

The 88 recommendations are significant. Your report is extremely thorough. It showed a tremendous amount of work by this Committee and the staff. We are going to take it very seriously.

Chairman COLLINS. Finally, I want to follow-up on an issue that Senator Voinovich raised, and that is the reform of FEMA. As you know, our report recommends a complete restructuring of FEMA with new authority, with the restoration of responsibility for preparedness and grant making. I understand your qualms about proceeding with a reorganization, although I would caution you that there are considerable risks in proceeding with a flawed organization as well.

I want to focus on an issue that Senator Voinovich touched on to make sure that we get a clearer answer for the record. As you know, our Committee concluded that DHS is the proper home for FEMA and that otherwise you would end up taking what is now a weak agency out of a department that should be providing support. There should be synergies, such as you have mentioned with the Coast Guard, with the law enforcement agencies. I think you would also end up having a duplication of effort because you would have to reconstitute within DHS some sort of response agency to take care of mass casualties if there were a terrorist attack.

I strongly support keeping FEMA or its successor agency within DHS. Given your 30 years of emergency management experience, I want to ask for your judgment, for the record, on whether or not FEMA should remain part of DHS?

Mr. PAULISON. I would be happy to do that because I said it earlier, and I will repeat it again. FEMA belongs inside of DHS. There is a significant amount of resources that are at our fingertips, not only for retooling FEMA but also in response.

Again with how you saw the Coast Guard operated, Border Patrol, ICE, all of those operational components inside of FEMA right there at our fingertips. We do not have to mission assign. We do not have to go through another secretary. We simply just pick up the phone and say I need this there, and it happens. That is a tremendous asset for us.

I have developed a personal relationship with the other operational components inside FEMA. We meet once a week and discuss some of these issues. So I am firmly convinced that FEMA needs to be inside of DHS, and I will stand by that. The Secretary, quite frankly, supports me on that issue.

Chairman COLLINS. Thank you.

I think you are right on that point. You need, however, to reconsider the issue of reforming FEMA, but I think you are absolutely right. I think the best evidence is the performance of the Coast Guard. By all accounts, the Coast Guard was a star in responding to Katrina, and yet the Coast Guard is part of DHS.

I think those who believe that it is the location of the agency that determines whether or not it functions well are really missing the point, so I appreciate your clear statement in response to my question.

Mr. PAULISON. And they did such a good job, I stole Admiral Johnson from them.

Chairman COLLINS. I saw that, as your Deputy.

Again thank you. I do anticipate that there will be additional questions submitted for the record by Members of the Committee.

Senator VOINOVICH, do you have any closing questions or comments you would like to make?

Senator VOINOVICH. The comment I would like to make is that, after sitting through all of the things we discussed today, why anybody would want the job?

Mr. PAULISON. My wife said what are you thinking?

Senator VOINOVICH. But in all seriousness, I think you have a wonderful opportunity to start a new chapter for FEMA in its relationship with the Department of Homeland Security.

If you really want to make a contribution to this country, and I sense that you do, I ask that you be as candid with Congress as you possibly can be.

If you have concerns, whether budgetary or operational, I expect that you will come forward to the Committee either publicly or privately to let us know.

I think the Chairman and Members of this Committee want to do everything we can to help you and your agency succeed.

So we are expecting you to honestly communicate with this Committee about your agency's needs.

As I say, you have a wonderful opportunity to really make a contribution to our country and save lives and make people's lives better.

So thank you very much for your willingness to serve in this tough job.

Mr. PAULISON. I want to thank both of you and the rest of the Committee. We do perceive this Committee as an ally, and we know you want to help. And we know how much work you have actually put in already. So you have my commitment, we will continue to work with this Committee with all vigor.

Chairman COLLINS. Thank you.

I want to echo Senator Voinovich's admonition to you to come to us if you have problems, if you need more resources, if you need support. We want to hear from you.

I want to thank Senator Voinovich for staying for the entire hearing. As you know, there were a lot of important competing demands today, and I think his full participation demonstrates how much he is concerned that we get this right and how important we view your nomination.

I remember, Mr. Paulison, when we talked on the phone when you were tapped to be the Acting Secretary, you told me at that time that your wife thought you were crazy to undertake the responsibility of Acting FEMA Director. Now you are taking on even more responsibility.

I want to thank you for your willingness to do so. I do think it is an extraordinarily important job. And it does matter, as we saw so vividly during the woefully inadequate response to Hurricane Katrina, who leads FEMA. I think that you are not only serving your country well, but that this is something your family can be very proud of, as well. I appreciate your public service.

Without objection, the hearing record will be kept open until noon tomorrow for the submission of any additional written questions or statements for the record.

Thank you for being here today, and this hearing is now adjourned.

[Whereupon, at 12:20 p.m. the Committee was adjourned.]

A P P E N D I X

PREPARED STATEMENT OF SENATOR LEVIN

I would like to welcome Chief Paulison. I am pleased that the President has nominated someone who has extensive emergency management experience. Someone who has on-the-ground experience fighting fires, conducting search and rescue operations, and coordinating the response and recovery efforts during large scale emergencies, such as Hurricane Andrew and the crash of ValueJet Flight 592.

We all want—and this country needs—a Federal Emergency Management Agency that is led and staffed by experienced professionals. Unlike so many appointees of this Administration, you are being nominated based on your experience and abilities, instead of your political ties. I am pleased that you also intend to staff this agency with people who have the right skills and experience to handle the challenging and vitally important responsibilities of FEMA. My request to you is that you follow through on these good intentions—not only the tremendous staffing needs within FEMA, but the numerous other improvements that are required to get this agency back on track.

The first responder community—including a number of fire chiefs in my own State of Michigan—have enthusiastically supported your nomination as head of FEMA. You have also received the support of James Lee Witt, the tremendously successful former director of FEMA under President Clinton.

Although I am impressed with your qualifications, I do have some concerns. First, I am concerned that the commitments you made before this Committee during an October 6 hearing on Hurricane Katrina have not been fully realized. You committed to re-bid all of the Katrina contracts that were awarded through a no-bid, sole source process. That has not happened. You said you would make the matter of the thousands of reported missing children the number one priority of your agency's efforts. But it took nearly 7 months—until March 7—until the last child reported to the National Center for Missing and Exploited Children was reunited with her family.

I am also concerned with your support of the recent reorganization of DHS, which stripped FEMA of its preparedness functions and moved them into a separate Office of Preparedness within DHS. Emergency management experts and first responders across the country have been extremely critical of removing the important functions of preparedness from FEMA, and I hope that you will monitor how this reorganization is impacting the ability of FEMA to adequately respond to emergencies and disasters.

While I have these concerns, I plan to support your nomination, and I look forward to working with you to create a Federal Emergency Management Agency that is stronger and more prepared to handle whatever disasters and emergencies this country might face in the future.

**Testimony of R. David Paulison
Acting Director
Federal Emergency Management Agency**

**Before the United States Senate
Homeland Security & Government Affairs Committee
Wednesday, May 24, 2006**

Good morning Chairman Collins, Senator Lieberman and members of the Committee. My name is R. David Paulison. It is an honor and a privilege to come before you today as the President's nominee to be the Under Secretary for Federal Emergency Management at the Department of Homeland Security and Director of FEMA. I am grateful for the confidence and support placed in me by the President and Homeland Security Secretary Michael Chertoff. I thank them, and thank you, for giving me the opportunity to be here today to outline my vision for a strong and robust Federal Emergency Management Agency. As I thank you and others, I would be remiss if I didn't take this time to thank perhaps my most ardent supporter, my wife Kathy. She has joined me here today, and has been a rock to me in all my years of serving in emergency management.

I have served as the acting director of FEMA since last September. In coming before you today, and asking for your support to continue leading FEMA, I make a solemn promise to you and the American people. It is my vision here and now, and for the future, to strengthen FEMA. To strengthen its people, its processes, and its capabilities, in order for it to be the preeminent national level agency for emergency management, answering the call to serve the nation and its citizens in times of need.

During times of disasters, be they natural or manmade, this nation's emergency response capability has been faced with enormous challenges in recent years. From the flooding in Houston from Tropical Storm Allison, the terrorist attacks of 9/11, back-to-back unprecedented hurricane seasons in 2004 and 2005, and a myriad of other disasters that have impacted this nation, the people who dedicate their lives to emergency management have responded. At times faltering, but always with the vision of putting the lives and welfare of disaster victims first. It is with this same outlook of putting others first, where I will continue my efforts, along side the dedicated people of FEMA, to accomplish our current priorities and build on the future.

These priorities include preparing not only our agency, but preparing the nation, be it for the upcoming hurricane season or any disaster. We will engage constructively with state emergency management officials, federal counterparts, the Department of Defense, and non-government organizational partners to maximize communication and coordination for all-hazard disaster preparedness, response, recovery, and mitigation activities. We will build within FEMA a twenty-first century competency in operations, logistics, procurement and communications. We will do all of this, and at the same time, restore the pride and spirit of FEMA employees and the nation's trust in our abilities.

I believe that along with the dedicated employees of FEMA, if confirmed, we will accomplish these goals by adhering to the tenets of leadership, partnership, investment, and a solid business approach.

- Leadership: We will set clear and unambiguous goals, communicate and listen effectively, make informed decisions and demonstrate personal and professional integrity in all that we undertake.
- Partnership: We will build meaningful, collaborative and mutually productive relationships with major constituencies at the federal, state and local level as well as with non-government organizations and appropriate private enterprises.
- Investment: We will devote additional resources in terms of funding, people, technology and ingenuity to build the necessary capabilities and competences to meet our mission mandate and the expectation of the American public.
- Business Approach: We will strengthen our mission effectiveness and operational efficiency, establish pragmatic measures and benchmarks, and hold ourselves accountable for our performance.

As FEMA benefits from the continued integration into the Department of Homeland Security, the agency has acquired many valuable resources that will strengthen our ability to respond to disasters of any kind. One such benefit is the close working relationship that I have developed with Homeland Security Secretary Michael Chertoff.

In working with Secretary Chertoff, we are strengthening this agency by bringing together an experienced senior leadership team at FEMA. The new senior leadership team brings over 100 years of combined experience to the agency. Admiral Harvey Johnson, whose leadership skills have been honed in the U.S. Coast Guard has joined FEMA as deputy director. We have made progress in recruiting new regional directors who have extensive experience in emergency management, including Art Cleaver in Region I, Stephen Kempf in Region II, and William Peterson in Region VI. We have also brought Deidre Lee to our team, who brings extensive experience in acquisitions with GSA as our deputy director of operations.

In developing this strong leadership team within our agency, FEMA will set clear and unambiguous goals, communicate and listen effectively, make informed decisions and demonstrate personal and professional integrity in all that we undertake.

A strong, capable senior management team is a top priority for FEMA, but we also must ensure that we have a deep bench to draw from in the future and I have committed to achieving 95 percent staffing of FEMA's positions for this hurricane season. With the new leadership in place, and as we increase the staff, I will steward this agency by establishing and following through on priorities aimed to revolutionize and upgrade FEMA's core areas to make it a 21st century organization with all the available and necessary technology and capabilities.

With what is predicted to be another active hurricane season just days away, much has already been accomplished towards strengthening and retooling FEMA. Since September of last year, I have led FEMA through a period of much-needed re-tooling to gear up for the next major hurricane or disaster. Our top three areas of improvement are in: 1) situational awareness and communications, 2) logistics and commodity management and 3) victim management and assistance.

Having real-time, on-the-ground information in the 24 hours immediately before and after a disaster, especially a hurricane, is the best method for us to support first responders and help save lives. One of the ways we are improving our situational awareness is by enhancing our technology to include satellite phones, high-frequency and land mobile radios and other mobile and disaster communications equipment to better equip our response teams. Our teams also will liaison with state and local emergency operations centers to establish unified incident command with state and local officials and report information from the local level.

Along with increased situational awareness during the immediate response phase, we have also enhanced our logistics and commodity management capabilities to more efficiently and quickly supply state and local authorities with the disaster commodities and assets needed in their areas.

The first thing we did to improve our commodity management, was to simply increase our commodities. We have 300% more meals, 150% more water and nearly 400% more ice on-hand than we did before Hurricane Katrina. We also have enough tarps and blue roof sheeting to cover 90,000 roofs and protect 80,000 households.

Aside from increasing our commodities, we have also implemented a new commodity tracking initiative, called Total Asset Visibility, or TAV. This will provide FEMA with an improved ability to manage inventory of certain commodities and to track the location of trailers carrying commodities such as water, ice, emergency meals, plastic sheeting, tarps, generators, cots, blankets, and material handling equipment. We have completed implementation of Phase I of the TAV program in our Atlanta and Fort Worth Logistics Centers. This tracking will provide real-time status to FEMA and the states being assisted and will result in more effective and efficient delivery of relief supplies to disaster victims.

FEMA also has agreed to work with the Defense Logistics Agency to ensure surge stockpile, procurement, delivery and management of emergency meals, water, tarps, plastic sheeting, medical equipment and essential pharmaceuticals.

Third of the areas we are greatly improving for the hurricane season is victim management and improved customer service. I believe one of the things that made FEMA successful in responding and supporting more than 1,600 disasters over its 27 years was its ability to serve disaster victims in a timely and compassionate manner. This is something that we must maintain and expand.

During the 2005 hurricane season, FEMA took more applications, and delivered more assistance in a shorter period of time than during any other hurricane season in our history. I am proud of the good people who work at FEMA and for their tireless effort to help those whose lives were altered by these storms. A long road to recovery remains ahead of those who were impacted by the Gulf Coast hurricanes and we will continue to be there to help.

Last year, the agency's data processing centers collected a record three million applications for assistance. In comparison, this is almost triple the number of applications FEMA took during all of 2004 when four hurricanes hit the Florida coast. And prior to 2004, FEMA had never taken more than a million applications for any single year.

FEMA has made great strides, and continues to improve efforts in enhancing the agency's customer service. FEMA's abilities to receive and process requests for assistance, protect against fraud and abuse, and adjust to changing needs of disaster populations during significant recovery periods are being enhanced. FEMA will have the capacity to handle 200,000 assistance calls per day and anti-fraud technology has been installed to track disaster claims.

We have looked at ways to upgrade our mobile registration capacity to register victims in shelters and increase our call center capacity. Some disaster victims may have already seen a revamped website at www.FEMA.gov and we also are looking at methods to improve our capacity to accept more registrations online and wherever disaster victims may be.

We will have an increased home inspection capacity from 7,000 per day to 20,000 inspections per day this summer, which will help homeowners get the much-needed assistance quicker. Lastly, we have retained a contractor to continue assisting us with identity verification and limiting fraudulent claims of federal disaster assistance.

In assisting state and local governments, FEMA is expediting the pace of debris removal. Hurricane Katrina left over 100 million cubic yards of debris in its wake over a span of 90,000 square miles. In order to streamline the debris removal process and ensure quick reimbursement for services, FEMA is establishing solid contracting practices to help communities quickly begin recovery operations.

All of these upgrades I have mentioned are geared not only for the upcoming hurricane season, but also for the long-term growth of FEMA. These enhancements in technology, especially, are aimed at making FEMA a 21st Century organization that is flexible, transparent and efficient to maximize our performance. This will take continued improvements within FEMA's operations, logistics, procurement and communications areas to meet the demands placed on this agency going forward.

While I hope to continue spearheading FEMA's re-tooling efforts, if confirmed, I will also encourage and usher in a new level of partnership among federal, state and local governments. We will build meaningful, collaborative and mutually-productive

relationships with major constituencies at the federal, state and local levels as well as with non-government organizations and the appropriate private enterprises.

I will do so by constructively engaging state emergency management officials to share best-practices and methods of improving our all-hazards approach to disaster preparedness, response, recovery and mitigation. I will also continue what Secretary Chertoff has already begun, which is work closely with other federal departments including Defense, the National Guard, the U. S. Army Corps of Engineers, and the Departments of Transportation, Health and Human Services and Housing and Urban Development. These are all federal departments that play a key role in one or more phases of emergency management that FEMA must partner with for success.

I mentioned the need for FEMA to become a 21st Century organization with improved capabilities and technology and I believe we must also become a more-integrated organization with improved coordination and communication with our federal, state and local partners. With that said, I would make FEMA adhere to a more business-like approach to the way we handle our priorities and objectives. In the past, FEMA was more vertically-integrated in that we had capabilities to do a number of disaster-specific functions. FEMA must now become more horizontally-integrated by building partnerships both within the Department of Homeland Security and other federal departments tasked with mission assignments, and also across state, local, nonprofit and business organizations that have a role in disaster preparedness, response and recovery efforts.

Strengthened partnerships will compliment our heightened objective focus, mission effectiveness and operational efficiency by establishing pragmatic measures and benchmarks that we will then hold ourselves accountable to when determining our performance. This approach has worked in the business world for decades and has also worked in other federal departments that have experienced a similar dramatic change in operational requirements and capabilities.

In all that I have addressed here today for strengthening FEMA and building it to become the preeminent national level agency for emergency management, all of this can not be accomplished without the agency's number one asset: the employees of FEMA.

The employees at FEMA are public servants to the highest degree and they bring years of expertise in emergency management, logistics, response, recovery, mitigation and procurement. FEMA is a very proud agency with fine individuals who take great pride in their work and this agency. If confirmed, I will stand before the employees of FEMA and ask them to allow me to work hand-in-hand with them to move us past any negative perceptions that remain from when we faltered. Together, I know we will build back the full trust of the American people, and in doing so make the pride of FEMA employees even stronger than it already is.

I have laid out a personal mission and a list of priorities here before you. As I conclude, I would like to remind the committee that I started my career with a heart for public service

and serving others. My commitment to serving others remains strong and I am deeply humbled and grateful for the opportunity to lead and represent this agency. I will do my best to fulfill America's call to leadership at FEMA.

Again, thank you Chairman Collins, Ranking Member Lieberman and members of the Committee. I would be happy to answer any questions you may have for me.

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

A. BIOGRAPHICAL INFORMATION

1. **Name:** (Include any former names used.) Robert David Paulison
2. **Position to which nominated:** Under Secretary of the Federal Emergency Management Agency
3. **Date of nomination:** Thursday, April 6, 2006
4. **Address:** (List current place of residence and office addresses.)

Office: DHS FEMA
500 C Street, SW – Room 828
Washington, DC 20472

5. **Date and place of birth:** February 27, 1947; Miami, FL
6. **Marital status:** (Include maiden name of wife or husband's name.)
Married; 9/10/71; Kathryn Marie Paulison; Maiden name: Kathryn Marie Davis
7. **Names and ages of children:**
8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.
Miami Dade Community College, 9/65-4/68, Associates Degree, 4/68
Florida Atlantic University, 9/68-12/70, Bachelor of Arts, 12/70
Harvard Kennedy School of Government, 7/95, State and Local Gov. Program, 7/95
9. **Employment record:** List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment. (Please use separate attachment, if necessary.)
See attached.
10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.
 - Chair, FEMA's Task Force on Technology Transfer

11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Former Affiliations, no longer current:

- Advisory Committee, Texas A&M University
- United Way Cabinet Member for Miami Dade County
- 1999 Chair, University of Miami Burn Center Fund Raising Campaign
- Certified Paramedic, State of Florida (Expiration 2004)
- Board of Directors, American Red Cross Chapter of Miami Dade County
- Appointed to Miami Dade County Managers Women's Advisory Group
- Chair, FEMA's Task Force on Technology Transfer

12. **Memberships:** List all memberships and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable and other organizations.

PROFESSIONAL ORGANIZATIONS (former affiliations and membership, no longer current)

- International Association of Fire Chiefs
 - Served as President 1996-1997
 - Member, Terrorism Task Force
 - Member, Urban Search and Rescue Task Force
 - Member, Fire Code Task Force
 - Chair, Communications Committee
- Florida Fire Chiefs Association
- Dade County Fire Officers Association
- National Fire Protection Association
- Advisory Committee, Texas A&M University
- Defense Science Board – Summer Study – 1997, 2000, 2001
- Metropolitan Fire Chiefs Association

OTHER FORMER AFFILIATIONS

- United Way Cabinet Member for Miami Dade County
- 1999 Chair, University of Miami Burn Center Fund Raising Campaign
- Certified Paramedic, State of Florida (Expiration 2004)
- Board of Directors, American Red Cross Chapter of Miami Dade County
- Appointed to Miami Dade County Managers Women's Advisory Group
- Chair, FEMA's Task Force on Technology Transfer

13. **Political affiliations and activities:**

- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

- (b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.

None.

federal, State, county or municipal law, other than a minor traffic offense? If so, provide details.

No.

3. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

No.

4. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

I have widespread support within the first responder community of the United States.

E. FINANCIAL DATA

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

Robert David Paulison
Biographical and Financial Information Requested of Nominees
A. Biographical Information, Question 9. Employment Record

EMPLOYMENT RECORD

FEDERAL EMERGENCY MANAGEMENT AGENCY, Washington, DC

2005 to Present Acting Director, DHS FEMA – Designated by President Bush and Department of Homeland Security Secretary Chertoff to serve as Acting FEMA Director and U.S. Fire Administrator on September 12, 2005.
Supervisor: Michael Chertoff, Secretary, DHS

2001 to 2005 Administrator, United States Fire Administration - Senate confirmed Presidential appointee. Additional duties in 2003 and 2004 included, service as the Director for Preparedness within FEMA
Supervisor: Michael D. Brown, Under Secretary, Emergency Preparedness and Response, DHS FEMA

MIAMI-DADE FIRE RESCUE DEPARTMENT, Miami, Florida

Verifier: Helen Zubieta (786) 331-5122
Supervisor: Asst. County Manager, Miami, FL, Paul Philip, (305) 375-1032

1992 to 2001 Fire Chief
1991 to 1992 Deputy Director for Administration
1990 to 1991 Assistant Chief of Operations
1988 to 1990 Assistant Chief for Supportive Services
1987 to 1988 Division Chief for Miami International Airport
1986 to 1987 District Chief of Operations
1983 to 1986 Battalion Commander
1978 to 1983 Rescue Lieutenant
1971 to 1978 Rescue Firefighter

AFFIDAVIT

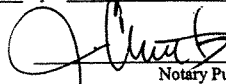
R. David Paulison being duly sworn, hereby states that he has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his knowledge, current, accurate, and complete.

Subscribed and sworn before me this

24

day of

April, 2006



Notary Public

JUDITH CLEMENTS
Notary Public of District of Columbia
My Commission Expires on October 14, 2008

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire for the nomination of
R. David Paulison to be
Under Secretary for Federal Emergency Management,
U.S. Department of Homeland Security**

I. Nomination Process and Conflicts of Interest

1. Why do you believe the President nominated you to serve as Under Secretary for Federal Emergency Management, Department of Homeland Security (DHS)?

I have dedicated more than 30 years to emergency management, fire and rescue services. I have been serving as Acting Director of FEMA since September 2005 and have overseen more than 30 disaster declarations. In addition, since 2002, I have served as the Senate confirmed U.S. Fire Administrator and briefly served as Director of the Preparedness Division of the Emergency Preparedness and Response Directorate of FEMA from 2003-2004.

2. Were any conditions, expressed or implied, attached to your nomination? If so, please explain.

No.

3. What specific background and experience affirmatively qualifies you to be Under Secretary for Federal Emergency Management?

Before joining FEMA, I dedicated more than 30 years to emergency management, fire and rescue services. I began my career as a rescue firefighter and rose through the ranks of rescue lieutenant commander, district chief of operations, division chief, assistant chief and then deputy director for administration before becoming the Fire Chief of Miami-Dade County Fire Department in Florida. As Fire Chief, I also oversaw the Miami-Dade County Office of Emergency Management from 1994-2001.

4. In your biographical information submitted to the Committee, you stated that as Fire Chief, you oversaw the Miami-Dade County Office of Emergency Management. Please describe what your duties and responsibilities were in overseeing the Miami-Dade County Office of Emergency Management. Do you have experience as an emergency manager distinct from being a fire fighter or Fire Chief?

I was asked in 1994 to take over The Office of Emergency Management in Miami-Dade County. I appointed a County Emergency Manager, who reported directly to me, and began working with the State Office of Emergency Management to build an effective emergency management organization in Miami-Dade County. This included the

development of evacuation and shelter plans along with overall emergency response operation planning for disasters.

5. What was your role in the preparation for and response to Hurricane Andrew? What lessons did you learn from this response?

At the time Hurricane Andrew made landfall, I had only been fire chief for a few weeks, so my role in preparedness was limited. As far as response, I worked out of the County Emergency Operations Center to coordinate all rescues, EMS and Fire calls, and served as an advisor to the County Manager. In addition, under my direction the Fire Department cleared roads, set up food kitchens in fire stations, coordinated supplies, and distributed generators. At that time, the Office of Emergency Management was not under the command of the Fire Chief. The biggest lesson learned from Hurricane Andrew was that all levels of government were unprepared for a disaster of this magnitude. Following this hurricane, the Office of Emergency Management was moved under the Fire Chief and we began rebuilding the system for the entire county.

6. Have you made any commitments with respect to the policies and principles you will attempt to implement as Under Secretary for Federal Emergency Management? If so, what are they and to whom have the commitments been made?

As the present Acting Director of FEMA I have been working closely with the Secretary and Deputy Secretary of the Department of Homeland Security on the retooling of FEMA. The senior leadership of FEMA and I meet with Secretary Chertoff and Deputy Secretary Jackson on at least a weekly basis on the progress we are making in preparation for the 2006 hurricane season and for the future of FEMA. In that regard, I have committed to the Secretary as well as to the dedicated employees of FEMA that I will work to ensure that they have the tools needed to do the job well. We are improving the way we do business in several key areas:

1. Logistics
2. Emergency Communications
3. Situational Awareness
4. Debris Removal
5. Housing and victim management
6. Disaster workforce

7. If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain what procedures you will use to carry out such a recusal or disqualification.

I am unaware of any issues from which I would need to recuse or disqualify myself due to an actual, or the appearance of, a conflict of interest. Should a conflict arise, I will follow the conflict of interest statutes enacted by Congress and the regulations issued by the

Office of Government Ethics to appropriately recuse and disqualify myself. Furthermore, I will rely on the ethics attorneys within the Office of General Counsel to provide to me with legal guidance concerning conflict of interest statutes and regulations and provide guidance, as needed, regarding the application of those legal authorities in specific cases.

8. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis?

No

9. According to a press report, while you were Fire Chief for the Miami-Dade Fire Rescue Department, three Miami-Dade African American firefighters were suspended from their jobs for allegedly refusing to ride a truck bearing a U.S. flag a few days after 9/11. A later investigation by the Miami-Dade Fire Rescue Department determined that the firefighters at issue did not refuse to ride with the flag, but did voice strong opinions about racial inequality and race-based discrimination in the United States. According to the press report, you, as Fire Chief at the time, ordered disciplinary action against two of the firefighters, not because they violated the law but because they offended and distressed many of their fellow firefighters by expressing unpopular views during a time of crisis.

- a. Please describe what actually happened in this incident.

The media statement is inaccurate. Initial reports from the fire department stated that the firefighters refused to ride on the truck.

- b. What role did you play in the incident? Please describe.

I immediately ordered an investigation of the charges and took the firefighters off of active duty, with full pay and benefits, pending the results of the investigation.

- c. Were the individuals disciplined or suspended? If so, why? Was it correctly reported that the individuals were disciplined simply because of their expression of their views?

Shortly after the investigation began, I was appointed U.S. Fire Administrator and resigned as Fire Chief. I do not have personal knowledge of the results of this investigation.

10. Several press reports suggest that the Miami-Dade Fire Rescue Department suffered from racial tensions in its workforce during your tenure there (see, e.g., "Firefighter promotion and hiring criticized, *The Miami Herald*, February 27, 1997).

- a. Were these reports accurate?

During my tenure as Fire Chief, there were significant racial tensions within the County as a whole.

b. If so, what did you do to address the allegations at the time?

We worked extraordinarily hard to ensure that hiring and promotion practices were as fair as possible. It resulted in significant increased representation of minorities and women in the department.

11. Have you ever been the defendant of a lawsuit? If yes, please name all such lawsuits and describe the resolution of such lawsuits.

As Acting Director of FEMA, and previously as the Fire Chief for Miami-Dade County and the U.S. Fire Administrator, I have been named in my official capacity as the defendant in numerous lawsuits. I have not been named as a defendant in my personal capacity for any lawsuit.

II. Role of the Under Secretary for Federal Emergency Management

12. What do you see as FEMA's principal mission(s)?

FEMA's mission is to lead the Nation's efforts to respond to, recover from and mitigate disasters of all types. This includes coordinating and ensuring the readiness of disaster response teams and assets; sharing emergency management technical knowledge, training, and assistance with state and local governments; deploying response teams, commodities and supplies, and recovery assets, abilities, and funding; and finally, mitigating the impact of disasters through actions that will limit additional loss. FEMA's mission addresses the logistical and technical aspects of response, recovery, and mitigation.

13. What do you see as FEMA's principal strengths and weaknesses in its ability to effectively accomplish those mission(s)?

FEMA's greatest strength has always been and continues to be its talented, dedicated and competent staff, supported by the combined resources of the Department of Homeland Security. The major weaknesses we face as an agency relate to outmoded systems and processes, many of which we are addressing through the current re-tooling efforts. FEMA and its DHS partners will be better prepared to meet the challenges of the upcoming hurricane season and whatever other disasters, natural or man-made, may occur.

14. How has DHS impacted the role and ability of FEMA to perform its mission? What do you believe DHS can do to help FEMA function more effectively?

DHS has tremendous assets FEMA can call upon to support its disaster response, recovery, and mitigation missions. The Department's total staff provides support for the surge capacity needed to address a Major Disaster. These resources were called upon and provided much needed capacity during Katrina, and will be even more fully integrated into FEMA's response and recovery planning for future disasters. The Department's Coast Guard strongly supported rescue and evacuation efforts, Transportation Security Administration supported air evacuation efforts, and Customs and Border Patrol, Immigration and Customs Enforcement, and Secret Service agents were able to provide needed law enforcement resources. We also received assistance from many other components, too numerous to list here.

Other components provided staff that supported the whole range of FEMA's efforts, from providing direct assistance in the Gulf region to procurement and contract management efforts here in Washington and everything in-between. DHS components also support development of better situational awareness through their many support functions including supplying needed analysis of impacts on critical infrastructures, providing improved communications capability, supporting needed coordination with the private sector, providing air and marine assets to supply updated observations on incident impacts, and a variety of other analytical, assessment, and program delivery capabilities through the breadth of the Department's components.

On an on-going, non-disaster basis, the Department's preparedness programs, which are closely coordinated with FEMA, support the development of capacity at the State and local level to address major incidents whether natural or man-made, while the Science and Technology Directorate helps develop the next generation of technologies and tools needed for disaster response, recovery and mitigation efforts. FEMA continues to work closely with DHS management to identify additional ways in which our ability to fulfill our mission can be better supported by the Department.

15. Would it be beneficial for FEMA to be removed from DHS? Please explain.

In my opinion, it would not be helpful for FEMA to be removed from DHS. As noted above, there are a multitude of benefits to FEMA from being part of DHS, and most of those benefits would not be available on an ongoing basis if FEMA were not part of the Department. Also, we have undertaken a great deal of work with the Department to improve our communications and coordination efforts, including development of systems to provide a common operational picture that would be available to all levels of government involved in an incident.

Another consideration of great importance at this time is that we are entering into the hurricane season with a National Response Plan (NRP) and associated annexes based on a structure with the Secretary of Homeland Security as the principal Federal official for incident management and with FEMA reporting to the Secretary. One of the causes of

confusion during the Katrina response was that many officials at all levels of government were not sufficiently familiar with the new NRP to fully meet their responsibilities under the plan. We have now been training and exercising to that plan over the last year and a half, and officials at all levels are becoming more familiar with it. The last thing needed at this time is a change that would require a new approach to the National Response Plan.

16. What do you see as the limitations on FEMA's ability to accomplish its mission(s) were FEMA to again become an independent agency?

Separating FEMA from DHS would negate all the work done over the last few years to develop an integrated approach to Federal incident management efforts, and require enormous duplication of effort to establish a whole new approach to the Federal role in incident response, recovery and mitigation efforts. The biggest problem would be that rather than having an integrated, all-hazards approach to the Nation's incident management efforts; this would institutionalize a split between the Nation's efforts to address the terrorist threat through the Department of Homeland Security, and its efforts to deal with incident management through FEMA. FEMA would lose direct access to the many assets of the Department that can support response, recovery and mitigation efforts, and FEMA would have to create many of the supporting systems and programs of the Department for communications/situational awareness, technology development and transfer, and interagency coordination.

17. In a recent C-Span interview, you said that, for this hurricane season, FEMA would be leaning far forward. Please describe in more detail what you meant in making this comment.

FEMA approaches the 2006 hurricane season with a renewed sense of commitment, improvement and urgency, building on a solid foundation of experienced professionals and the lessons learned from last year's unprecedented disaster response activities. The 2005 hurricane season tested our nation as never before, and we are committed to increasing our preparedness for catastrophic events and smaller-scale disasters.

FEMA will be very aggressive in pre-positioning equipment, personnel and commodities and also has pre-designated key federal officials. While states and localities have the lead in emergency response, FEMA will be prepared to coordinate the federal government's supporting role. FEMA also understands the special needs of Gulf Coast states, which will include a need for assistance with evacuation planning, difficulties with manufactured housing, and diminished law enforcement capabilities.

FEMA is implementing multiple new measures designed to strengthen essential functions so the agency can more effectively respond to all disasters. These improvements include building a 21st century supply tracking system, increasing the stocks of commodities and equipment available for disaster response, enhancing our ability to receive requests for individual assistance while improving fiscal integrity through identity verification, expediting the pace of debris removal, and developing a smarter plan for long-term housing. Chief among them is completing the integration of FEMA operations with the

Department of Homeland Security. FEMA will continue to make other significant enhancements beyond this hurricane season.

18. In a recent C-Span interview, you stressed that individuals and state and local officials should be able to self-sustain for 72 hours after an emergency. What did you mean by saying this? Do you believe that this statement might cause some to question FEMA's ability to respond more quickly than 72 hours after an emergency? Is FEMA prepared to respond more quickly than 72 hours after an emergency?

It is incumbent on all Americans to take primary responsibility for their own safety and well being in the event of a disaster, which entails being prepared to self-sustain for the first 72 hours following a disaster. In a large disaster, it is likely that even local first responders may not be able to immediately get to an individual or family because of conditions on the ground. In asking individuals as well as State and local officials to be able to self-sustain for 72 hours after an emergency, we are simply advising people to be prepared for an emergency so they won't be totally dependent on outside assistance right from the start of an emergency. This will allow local, State and Federal assistance to be devoted to those most directly impacted and unable to care for themselves in the early hours of a disaster, and for the ramping up of assistance for all disaster victims in the days immediately following an incident.

FEMA has undertaken a number of initiatives to lean forward in order to improve its responsiveness, whether to a hurricane or other incident, so FEMA will be able to respond in less than 72 hours. In the event of a disaster that immediately overwhelms a State or local government, we will respond as quickly as possible; but it will never be possible to immediately deliver resources to every individual, which is why FEMA, and every other Emergency Management professional stresses the importance of 72 hour self-sufficiency.

III. Policy Questions

Preparedness

19. This committee has issued a report, "Hurricane Katrina: A Nation Still Unprepared" with findings related to FEMA's performance during Hurricane Katrina.
 - a. How will you use this report and its related recommendations?

FEMA greatly appreciates the time and effort that went into the multiple reviews of what happened during the response and recovery efforts for Hurricane Katrina and is committed to improving its operations to address the shortcomings identified in those reports. We are already working to improve a number of the areas of weakness identified in these reviews through our re-tooling efforts to address the most urgent problems in

order to prepare for this year's hurricane season. We anticipate that most of those efforts will be implemented either before, or shortly after, the start of the hurricane season. Once those efforts are completed, we will begin the process of addressing the next set of priorities to evolve from the Katrina studies. We look forward to working with the Committee and its staff on identifying those recommendations that should be addressed as we move ahead.

b. What recommendations will be priorities for the next year? The following year?

At this point, we are focused on undertaking those improvements needed for this hurricane season and will continue to assess FEMA's response and recovery efforts. We are continually working on refining our logistics capabilities, housing efforts and victim registration capabilities.

c. What do you see as the major challenges in implementing the report's recommendations that involve FEMA?

The major challenge as we move forward to address the findings in the numerous studies of the Katrina response is to make sure we undertake changes that will strengthen the Nation's ability to address catastrophic incidents in a coordinated fashion. While there were major problems with the response to Hurricane Katrina, it must also be remembered that this was the Nation's worst natural disaster in history. As with all disasters, no matter how well prepared we are, there will inevitably be problems. At the same time there were problems, there were also many things that went well, and we should make sure we take a thoughtful and reasoned approach to changes to ensure we are making things better as we move ahead. As always there will be real world resource and personnel constraints to accomplishing all that we hope to do, but those can be dealt with if we are addressing the right issues.

20. Attached please find a copy of the recommendations contained in the Committee's report. For each recommendation, please answer the following questions:

a. Do you agree with the recommendation?

b. If so, what steps, if any, is FEMA taking to implement the recommendation?

c. Do you believe the recommendation requires legislation?

d. If so, would you support such legislation?

I applaud the Committee for their thorough review and investigation into the Federal Government's preparedness for and response to Hurricane Katrina. I welcome and take very seriously the 88 recommendations outlined in the Senate's report. As you know,

FEMA and the Department have received numerous recommendations from other entities, including the White House, the House of Representatives, the GAO, and the DHS IG. We are carefully considering all of these recommendations.

Unfortunately, because I have been focused on preparation for the 2006 Hurricane Season, I have not had time to carefully consider all of the recommendation prepared by the Committee or to prepare a detailed analysis of each one, as requested in the Committee's question. I look forward to working with the Committee on its recommendations and giving them the attention each is due. I will continue to work closely with the Secretary as we deliberate the future changes for FEMA operations and I welcome the opportunity to appear before you again in the future to discuss our full consideration and implementation plans for your recommendations.

However, we have begun to make the following changes, which will be in effect for the 2006 Hurricane Season and which I think are consistent with many of the recommendations put forth by the Committee:

- Build a cohesive operations center by establishing of the National Operations Center, developing a common operating picture capability, replacing the IIMG, and updating standard operating procedures and concepts of operations for Federal entities.
- Build support for Federal operations and Federal support to State and local emergency management capability by hiring staff, upgrading training programs, rebuilding stocks of supplies and equipment, establishing logistics and supply contracts ahead of disaster, upgrading our logistics tracking capabilities, increasing our ability to serve a larger number of disaster victims more quickly and with greater accuracy and financial accountability, pre-scripting mission assignments for likely tasks to avoid delays and confusion, upgrading our home inspection capabilities, etc.
- Improve coordination with other agencies by working to have DOD coordination teams in all FEMA regional offices, pre-scripting some mission assignments, entering into an MOA with the Defense Logistics Agency so we are better prepared to meet the logistics need of a possible incident, undertaking a number of joint meetings with HHS to address numerous issues related to joint coordination of ESF-8 activities and better integration of the efforts of the two organizations, identifying the available assets of our inter-agency partners as well as to establish pre-scripted mission assignments so we are able to respond in a more timely and effective manner.
- Streamline policies and processes and ensure flexibility by working with our Federal partners through the ESF structure to identify ways in which the Federal ability to respond can be made more efficient and effective, and to modify policies, procedures and program requirements to the extent permissible under law and regulation.

- Improve procurement of essential goods by undertaking procurement actions in advance of an incident in order to ensure full and fair competition, including the availability of local contractors in the consideration, working with State and local officials and the private sector to develop rosters of possible contractors to be involved in procurements should additional contracts be necessary, and strengthening our procurement staff so that it can better undertake and monitor procurements.
 - Improve disaster communications by upgrading the communications capabilities of its MERS detachments as well as added improved communications equipment to its pre-positioned supply and equipment caches, and undertaking a series of exercises to validate interoperability among Federal/State/local emergency management entities.
 - Deter fraud, waste and abuse by undertaking a number of steps to improve its internal controls to avoid fraud in the first place by instituting automatic identity checks in all of its registration systems, adding upgraded oversight for its damage inspection processes, and tightening financial controls in its procurement practices; continuing to identify and prosecute fraud in its programs.
21. The current FEMA strategic plan (fiscal years 2003-2008) includes a number of goals, ranging from reducing the loss of life and property to making FEMA a world-class enterprise. It also notes that challenges to implementation include increased risk, workforce management, limited resources, technology, and change management.
- a. What changes, if any, would you make in FEMA's current strategic goals? Why?
- I am not yet in a position to say just what changes I would make to FEMA's current strategic goals. However, if confirmed, one of my priorities in the coming year will be to lead an analysis and update of the current plan. This will be done in conjunction with our stakeholders. All of the lessons learned from Hurricane Katrina, including those in the reports from the Senate and House, the Homeland Security Council, and the Government Accounting Office and Office of Inspector General will be considered as we chart our future direction.
- b. Are the five challenges identified in the current plan still valid? If not, what should they be? Why?
- As we have seen in the aftermath of Hurricane Katrina, the five challenges noted in the current Strategic Plan remain. When we conduct the strategic assessment for the updated plan, and as we continue to evaluate the lessons learned, additional challenges may be identified and addressed.
22. At a hearing before this committee last May, Michael Brown, then Under Secretary of Homeland Security Emergency Preparedness and Response and Director of FEMA stated "among the many challenges we face when responding to disasters, the most difficult

often involves balancing the tradeoff between ensuring a timely and effective response to those in need, and the responsibility to protect the fiscal integrity of the program. It is a classic competing tension between the provision of immediate disaster assistance and administrative perfection. As you move closer to one, you move farther away from the other.”

- a. Do you agree with this statement, which essentially suggests that as you speed disaster assistance, you decrease the ability to protect fiscal integrity?

I do not believe there is a direct trade-off between the two factors of time and fiscal integrity. More can be done ahead of time to ensure we are as prepared as possible for potential disasters while protecting the fiscal integrity of our programs. We are currently taking a number of steps to improve the fiscal integrity of our programs, from incorporating on-line identity checks in our applicant registration system to establishing competitively awarded stand-by contracts for services and supplies so we don't have to make last minute costly non-competitive awards. We will do all we can to ensure the fiscal integrity of our programs and the effective and efficient utilization of the taxpayers money so that while we may not be able to completely eliminate fraud and abuse, we can limit it as much as possible.

- b. If you believe that there is a trade-off between competing goals, where is the appropriate balance point between providing disaster assistance and protecting against waste, fraud, and abuse?

We are doing all we can to make sure we are good stewards of the resources we are provided while supporting fast and appropriate response and recovery efforts. While it is impossible to completely eliminate waste, fraud, and abuse, through effective planning, enhanced internal controls and a more systematic use of technology, FEMA can limit waste, fraud, and abuse.

- c. What steps do you believe FEMA needs to take now to better protect against fraud in future disasters?

We are already taking steps to better protect against fraud in our programs by incorporating identity checks in our victim registration systems, exploring new ways to utilize better technologies to improve our systems, and expanding our base of trained staff available to process victim registrations so they are provided more timely and accurate registrations and eligibility determinations. We have also implemented a more effective housing inspection program.

23. In a recent report by the DHS Office of Inspector General titled, “A Performance Review of FEMA's Disaster Management Activities in Response to Hurricane Katrina,” the Inspector General stated that FEMA regional personnel are struggling to maintain relationships with state officials to support future disaster response. According to the

report, this is due to the agency's diminished role in development and oversight of state exercises, and budget constraints that reportedly have resulted in FEMA Regional officials not participating in state-run exercises. These relationships are critical for an effective disaster response. How will you ensure that FEMA is able to develop and maintain its relationships with state and local emergency management agencies to ensure its readiness for effective future disaster response?

A strong Federal, State and local relationship is at the very foundation of our Nation's emergency management system, and FEMA Regional Offices continue to play a core role in building and sustaining these partnerships. Through the Regional offices, we work with State and local emergency managers on a wide range of issues. These relationships are an essential part of our national system of all-hazards emergency management. They help build State and local capabilities and ensure the most effective and coordinated response possible to disasters and emergencies. As part of this effort, FEMA Regions continue to participate in State and local emergency management exercises. This includes coordination and participation with the Preparedness Directorate and other elements of the Department of Homeland Security involved in exercise activity, including catastrophic disaster planning and currently ongoing hurricane tabletop exercises.

Additionally, FEMA Regions chair, plan and conduct regular meetings of the Regional Interagency Steering Committees, which are composed of State emergency management officials and other Federal agencies that serve as Emergency Support Functions under the National Response Plan. These meetings are important in addressing emergency management and readiness issues, such as incident and hazard specific response, inter-agency coordination, and training on new procedures and initiatives.

FEMA Regions also maintain ongoing and frequent contact with their State and local emergency management counterparts, including regular conference calls with State emergency management directors, participation in State and local conferences, and sustained staff contact to provide support, guidance and technical assistance on response, recovery, mitigation and NIMS issues.

We can and will do more to optimize our opportunities for developing FEMA, State and local relationships, and will include efforts to find ways for FEMA and DHS to participate in State and local exercises in the most coordinated and productive manner possible to help ensure an effective response to disasters and emergencies.

24. What value do you place on the use of Incident Management Teams during disasters?

The Incident Management Team (IMT) concept is a key component of the Incident Command System as outlined in the National Incident Management System (NIMS). IMT's played an important role in the national response to Hurricane Katrina and Rita. Additional teams are needed nationwide at all levels of government.

25. The White House Lessons Learned report recommends a number of changes to the current regional structure. Do you believe that DHS should implement a regional structure for all component offices? If so, what should be the relationship between the Department-wide director of a region and component regional offices?

Yes, however, the relationships between the offices are still being developed.

26. During Hurricane Katrina, there was considerable confusion regarding the roles and relationships of federal officials during a disaster. We understand DHS has named five teams, each with a Principal Federal Official, a Federal Coordinating Officer, and a deputy Federal Coordinating Officer.

- a. In what circumstances will these teams be used?

The teams will be used during a declared Incident of National Significance.

- b. How will these teams solve problems revealed during Hurricane Katrina?

Designating these teams in advance will give state and local officials a chance to plan, train, and exercise with their Federal counterparts before a disaster strikes. The appointed officials each provide their unique expertise and considerable experience to facilitate federal support of state and local governments.

Principal Federal Officials (PFO) and Deputy Principal Federal Officials (DPFO) serve as the Secretary's representative on the ground and primary point of contact for state and local officials within their area of authority. Federal Coordinating Officers (FCO) manage and coordinate Federal resource activities related to the Stafford Act.

State and local governments are traditionally responsible for providing for the safety and security of citizens in advance of a hurricane, including developing emergency plans, determining evacuation routes, providing public transportation for those who are unable to self-evacuate, and setting up and stocking local shelters with relief supplies.

State governments are traditionally responsible for mobilizing the National Guard, pre-positioning certain assets and supplies, and setting up the state's emergency management functions. States are also in charge of requests for Federal support through the formal disaster declaration process.

When requested, the Federal government is responsible for responding to disaster declarations, both during the event and in its aftermath. This can include logistical support for search and rescue, providing food, water and ice, establishing disaster centers and processing Federal disaster claims, and participating in short and long-term public works projects, such as debris removal and infrastructure rebuilding.

- c. Will these teams be in place and functional in time for the 2006 hurricane season? If not, when will they be?

Yes. These teams have been designated, trained, and are in place and ready to function if needed.

- d. What authority will the officials have over other federal, state, and local officials during a disaster?

Under the National Response Plan (NRP), the PFO does not direct or replace the incident command structure established at the incident, nor does the PFO have directive authority over other Federal and State officials. The PFO coordinates the activities of the FCO and other Federal officials involved in incident management activities acting under their own authorities. The FCO manages and coordinates Federal resource support activities related to Stafford Act disasters and emergencies. In this role, the FCO can directly task Federal agencies through the mission assignment process for resources needed in support of a disaster declaration.

- e. How are the roles, responsibilities, and authority of these new teams being communicated to state and local officials and others involved in emergency response?

The Department has issued a press release naming the teams and the areas they cover and the designated officials will be reaching out to their respective states to undertake joint planning, training and exercise activities. The State and local officials will also be provided with the revised NRP and Joint Field Office standard operating procedures which will further clarify the respective roles of the officials. There is also a series of exercises and hurricane conferences taking place that will further disseminate information concerning the roles of the PFO and FCO. These activities will allow the senior officials at all levels of government to be familiar with each other and their respective roles in advance of a possible disaster or other incident.

- f. What training have these officials received?

As part of FEMA's implementation of NIMS, all FEMA full-time employees and reservists were required to complete 4 independent study (IS) courses: IS-100, Introduction to Incident Command System; IS-200, Basic Incident Command System for Federal Disaster Workers; IS-700, National Incident Management System: An Introduction; and IS-800, National Response Plan: An Introduction. All new hires post-Katrina are also required to complete this mandatory training. Federal officials who were named by Secretary Chertoff in support of state and local governments in preparing for, and responding to, major natural disasters this storm season, participated in a training exercise in early May where roles and responsibilities were reviewed.

- g. What resources (including personnel and equipment) will these officials have available to them and how do these resources differ from those available to such officials during the 2005 Hurricane season?

These officials will have pre-designated teams and more robust pre-deployed assets, communications and personnel.

27. Will the DHS Preparedness Officers that are being assigned to the FEMA regional offices report to the FEMA regional director or to the FEMA director? If the Preparedness Officers will not report to either the FEMA regional director or to the FEMA Director, to whom will they report? What is FEMA's role in regional preparedness activities? What is the Preparedness Directorate's role in regional response activities?

At this time, the roles, responsibilities, and reporting structure of the DHS Preparedness Officers are being defined by the directorate.

28. Secretary Chertoff has announced an initiative to have DoD officials working in the ten FEMA regions.

- a. What would be the role of these DoD officials with regard to day-to-day FEMA operations and non-catastrophic emergency events?

To ensure better synchronization, coordination, and readiness with the military, whose personnel and capabilities can be critical in a major disaster response, FEMA and the DOD are placing a Defense Coordinating Officer (DCO) - typically deployed as lead field coordinator for the DOD at the time of a disaster - permanently in each of FEMA's ten regional offices for ongoing preparedness and response coordination in disasters. This will improve Federal coordination in the immediate response and smooth out and expedite the provision of DOD support. FEMA is also streamlining the way it seeks assistance from the DOD by pre-scripting mission assignments in advance of the hurricane season so that time is not lost during the critical response period. 18 pre-scripted Mission Assignments involving such functions as airlift, transportation, communications, imagery, route clearance, housing and feeding, fuel distribution, staging and mobilization, and medical treatment support have been prepared.

In addition, the regions maintain close coordination with the Regional Emergency Preparedness Liaison Officer staff. Finally, several initiatives are underway with DOD to support FEMA Headquarters. The National Guard support will also be very robust as well.

- b. What do you believe should be the expected role and authority for DoD officials in the event of a catastrophic disaster?

It is important that all agencies and departments work together regardless of the scenario,

and we are constantly working with the Department of Defense to clarify the roles of each agency in various scenarios.

29. What are your thoughts on how or whether FEMA can or should budget for emergencies or major disasters?

Budgeting for emergencies is always a challenge, especially for Disaster Relief. Over the years different Administrations have tried various approaches to provide funds for disasters and emergencies, though most have involved using some type of average obligations as a guide. At one point, a ten-year average was considered to be the best methodology. However, because of the increasing frequency and increased cost of disasters, the methodology evolved to using a five-year average that eliminates unique events. Even so, the nature of disasters and emergencies often means that the Federal government is dependent on supplemental appropriations to provide necessary disaster funding. While this is not ideal, it is also not ideal to appropriate huge sums of money that may not be used for a number of years.

30. Describe your vision of FEMA's role in preparing for and responding to a catastrophic event. Does FEMA's role in a catastrophic disaster differ than from a lesser disaster or emergency? If so, how?

FEMA's role in catastrophic planning is the same as the Agency's role in all incident response planning; it requires coordination and capability building - albeit on a larger scale. Likewise, the issues that FEMA will be dealing with in a catastrophic event such as mass care, decontamination, victim support, housing and long-term recovery are magnified.

31. The Homeland Security and Governmental Affairs Committee's report, "Hurricane Katrina: A Nation Still Unprepared" found that FEMA does not currently have the resources needed to accomplish its mission and that these resource shortages contributed to FEMA's failures in responding to Katrina. The investigation found that FEMA was especially short of the resources necessary to be prepared for a catastrophe and that there has not been sufficient investment in capabilities to be able to respond to a disaster.

Although the Administration's 2007 budget request for FEMA contained increases, it fell short of addressing the urgent concerns about FEMA. Moreover, in its recent report, the White House itself has identified many necessary improvements, but has not yet sought funding to take into account these improvements.

What is your vision of the need for increased funding for FEMA? What policies will you promote regarding funding for FEMA?

The current focus in FEMA is to prepare for the upcoming hurricane season through improvements to our response and recovery functions, such as staffing, victim assistance,

logistics, and communications. We are still in the process of refining these initiatives and identifying the specific costs and available funding sources. With its budget and supplemental requests over the past two years, FEMA has made progress in obtaining resources that it needs.

32. As a result of the Second Stage Review conducted by the Secretary Chertoff last year, the decision was made to create the position of Under Secretary for Preparedness responsible for preparedness issues, while response-related issues remained the responsibility of the Director of the Federal Emergency Management Agency. Expert witnesses before a Homeland Security and Governmental Affairs Committee March 8, 2006 hearing entitled "Hurricane Katrina: Recommendations for Reform" argued for reuniting DHS's preparedness with response efforts.

For example, Bruce Baughman, President of the National Emergency Management Association and Director of the Alabama State Emergency Management Agency testified that the ability to make grants provided the mechanism for FEMA to be involved in the development of plans and the exercising of those plans. He added, otherwise, "the only time we see the FEMA staff is when we have a disaster. They are not involved."

Baughman also testified that taking the grant making functions out of the agencies for all hazard response engendered a situation where tendencies of DHS to promote terrorism over all hazard preparedness were fostered. He pointed to his own state of Alabama. "We get \$28 million for a chemical incident. . . \$26 million to prepared the state to respond to a terrorist event. I get less than \$3 million to prepare the State for natural disasters. Yet our State has been hit 31 times with presidential disaster declarations in the last 10 years." Baughman continued that nationally we have spent \$3.5 billion in the last 2 years to deal with response to a terrorist attack, but only about \$170 million a year to deal with natural disaster preparedness.

Frank Cilluffo testified that a "federal leader in the field with authority to access Federal interagency resources to support preparedness and response capacities at the State and local levels provides distinct advantages . . . this individual would be a known quantity to State and local officials."

- a. Under DHS's post-Second Stage Review organizational structure, the Preparedness Directorate has responsibility for administering state and local first responder grants, for reviewing state emergency plans, for providing state and local first responder training; and for setting the preparedness goals to be met and the response capabilities to be attained by states and local governments. Through their direct involvement in the development, funding, and review of state and local preparedness efforts, officials in the Preparedness Directorate will have the opportunity to develop ongoing relationships with state and local officials and first responders – an opportunity that FEMA personnel, without any pre-disaster preparedness responsibilities, will not have. Do you think that it will impair

FEMA's response to disasters if FEMA personnel are unfamiliar with state and local responders in the area of the disaster and their preparedness efforts?

FEMA continues, and will continue, to maintain strong, ongoing working relationships with our State and local emergency management partners that are crucial to have in place when responding to an incident. Through our ten FEMA Regional offices we continue to meet and work with State emergency management officials before disasters occur to sustain relationships. We do this as part of the regular Regional Interagency Steering Committee meetings with State officials and representatives of other Federal agencies. Our Regional offices also continue to participate with States in exercises. Further, we continue to hold regular conference calls and meetings with our counterparts in the States, we participate in State and local conferences, and our staff continues to have sustained interaction with the States regarding program implementation and policy development issues.

- b. What steps will you take to make sure that FEMA employees and state and local officials are not first exchanging business cards during a disaster?

I will continue our ongoing efforts and activities that sustain our contact and relationships with State and local officials. These activities are being carried out, and will continue to be carried out, through FEMA's Regional offices.

- c. Do you believe that the relationship between FEMA and state and local emergency managers has been damaged by the separation of preparedness and response functions? If so, what would you do to repair the damage?

FEMA's relationships with State and local emergency managers remain intact. FEMA will continue to work closely with our counterparts in Preparedness, as we have done so far, to maintain these relationships. The programs administered by the Preparedness Directorate bring a lot of resources to the table for State and local governments. In close coordination, we can build and maintain a comprehensive national framework for emergency management in which resources are maximized and the relationships are in place when they need to be called upon to respond to disasters and emergencies.

33. There has been a debate about how much help the federal government should give states and localities to prepare for disasters. The Committee on Homeland Security and Governmental Affairs report, "Hurricane Katrina: A Nation Still Unprepared" found that neither the local, state, nor federal levels of government was prepared for a storm whose destructive impact had long been predicted. What is your vision of the role of the federal government in assisting state and local officials in preparing for all domestic incidents - both man-made and natural? What policies should DHS pursue in assisting state and local officials in preparing for all domestic incidents - both man-made and natural?

With its vast resources, the Federal government plays a crucial role in helping the nation

prepare for all hazards. The Federal government can and should provide technical assistance, best practices, and guidelines, as well funding, training and exercises to assist State and local governments in preparing for disasters, and ensuring their preparedness efforts are effective. However, preparedness begins and ends at the local level, and each community must continue to support local preparedness efforts. The Federal government can support and assist these efforts, but it cannot take the place of a local effort as well. DHS should continue to evaluate local preparedness levels as well as the risk that each community faces, and support programs and policies that fill the identified gaps in a risk-based approach.

National Response Plan

34. In light of Hurricane Katrina, what changes, if any, do you believe need to be made to the National Response Plan?

As with all plans, the NRP will invariably need some tweaking following the lessons learned from Hurricane Katrina.

35. What efforts, if any, are currently underway to revise the National Response Plan?

DHS, through the Preparedness Directorate in conjunction with FEMA, is currently reviewing the NRP to identify potential changes.

36. Is FEMA leading any effort to revise the National Response Plan? If not, then who is the lead official and what is FEMA's role in the process?

FEMA continues to be the executive agent for the National Response Plan, but the Preparedness Directorate has been supporting the short-term modifications to the NRP as we enter into the hurricane season. It is expected that in the next few months FEMA will undertake the more thorough review of the NRP envisioned when the document was originally issued.

37. Has the Catastrophic Incident Supplement to the NRP been completed? If not, when do you expect the Supplement to be completed? Please describe any review of the draft Catastrophic Incident Supplement that has taken place or is taking place in light of the lessons learned from Katrina. Have FEMA employees been given any instruction or training on the Catastrophic Incident Annex or the Catastrophic Incident Supplement? Have federal employees at other agencies with roles in the National Response Plan been given any training on the Catastrophic Incident Annex or the Catastrophic Incident Supplement?

To address lessons learned from Katrina, the Catastrophic Incident Annex (CIA) and Catastrophic Incident Supplement (CIS) are both being reviewed for modification of the NRP and its annexes. Initial modifications to the CIA and CIS have been undertaken and

the documents are undergoing review through the interagency process. We anticipate making further modifications and issuing the revised documents as soon as possible. They will be available to support activities this hurricane season.

As part of FEMA's implementation of NIMS, all FEMA full-time employees and reservists were required to complete 4 independent study (IS) courses: IS-100, Introduction to Incident Command System; IS-200, Basic Incident Command System for Federal Disaster Workers; IS-700, National Incident Management System: An Introduction; and IS-800, National Response Plan: An Introduction, which included information on the Catastrophic Incident Annex. All new hires post-Katrina are also required to complete this mandatory training.

38. Should the catastrophic annex to the National Response Plan be revised to clarify that it may be invoked during incidents with advance warning such as a hurricane?

Yes, and it is being so modified.

39. In light of the lessons learned from Katrina, what changes, if any, do you believe should be made to the Catastrophic Incident Annex or to the Catastrophic Incident Supplement?

As noted above, we are in the process of modifying the documents and should shortly have the revised documents available for issuance. We have not yet reached final decisions as to the extent or nature of these changes.

40. Secretary Chertoff has said that DHS is sponsoring regional hurricane preparedness exercises in the Gulf Coast to test hurricane plans. Under Secretary Foresman has expressed disappointment with the lack of full-scale exercises that would involve federal, state, and local officials working together.

- a. What is the status and results of the regional hurricane exercises? What has been the role of the regional offices in the development and participation in the exercises? What federal agencies have participated in the exercises? How are the exercises structured? Are there exercises for participants of each ESF?

The DHS/Preparedness Directorate (Grants & Training) is the Hurricane Exercise Series sponsor. That series consists of three Catastrophic Assessment Task Force 3 (CATF III) table top exercises (TTXs) for senior leaders concurrently with FEMA Regional table top exercises. The leadership level and exercise dates are as follows: Assistant Secretary - 05/03, Deputy Secretary - 05/09, Principals - 05/11, Reg. III - 05/03-06, Reg. - III 05/08-09, & Reg. - VI 05/17-18

There are 10 FEMA Regional offices and two area offices (Caribbean and Pacific) and each region serves several states. The Regional offices provide training, host workshops,

and brief the states on the Stafford Act. Summits are held by the Regional offices to update the states on new guidance, processes, and procedures. FEMA staff work directly with their respective states and provide assistance as necessary. Regional offices monitor potential and actual situations in their respective states, assist with requests for disaster or emergency assistance, conduct joint Federal, State and local damage assessments, and provide a host of additional services.

- b. What weaknesses or problems have been identified in the completed exercises? What is being done to address these weaknesses or problems?

Following each exercise, key state and federal planners convene in an After Action Conference to review and prioritize the issues identified in the exercise. Implementation Corrective actions are developed during the After Action Conference (AAC), to include assignment of deadlines and agencies responsible for implementing the actions. Results are documented in an after action report / improvement plan (AAR/IP) and are entered in the DHS Preparedness Directorate's Office of Grants and Training Homeland Security Exercise and Evaluation Program's AAR/IP tracking tool to monitor progress. To date, two exercises have been completed. We're in the process of completing the AACs and AAR/IP.

- c. In a March 2006 report, A Performance Review of FEMA's Disaster Management Activities in Response to Hurricane Katrina, the Office of the Inspector General noted that FEMA's planning efforts prior to Katrina were both "incomplete and insufficient" and cited a "long-term deterioration in FEMA's exercise program" Foremost among its critiques was that FEMA had ceased "to conduct large-scale exercises," relying instead upon small-scale, table-top approaches. Why is FEMA continuing to use table-top exercises, rather than full-scale exercises? Does FEMA have any plans to do any full-scale exercises in the future?

The Department of Homeland Security has not relied exclusively upon small-scale, table-top exercises, but rather has regularly sponsored operations-based preparedness exercises. In 2005, the DHS Preparedness Directorate sponsored 42 drills, 83 functional exercises (i.e. command-post exercises), and 148 full-scale exercises. These figures include federal, state, and local exercises, and many of the exercises were co-sponsored by FEMA or included active participation of FEMA regional offices. For example, FEMA is a major participant in an upcoming full-scale exercise in which the City State of Louisiana, and Cities of New Orleans and Baton Rouge will seek to validate its their respective emergency and evacuation plans and their compatibility with FEMA's revised CONOPS.

Furthermore, FEMA is co-sponsoring the National Exercise Program's upcoming TOPOFF 4 Command-Post Exercise (CPX) along with the DHS Preparedness Directorate Office of Grants and Training. The TOPOFF 4 CPX will be national-level exercise with extensive state participation simulating a response to an

improvised nuclear device in a major American city. FEMA will also be a major participant in the 2007 TOPOFF Full-Scale Exercise.

- d. What is the current status of FEMA's overall catastrophic disaster training and exercise program, including those that are full-scale exercises?

In 2006 FEMA launched a major catastrophic planning effort to focus on a no-notice major earthquake involving four FEMA Regions (IV, V, VI & VI) and eight States (Alabama, Mississippi, Tennessee, Kentucky, Illinois, Indiana, Arkansas and Missouri). The consequences of an earthquake on the New Madrid fault would have a wide-ranging impact on the security; critical infrastructure and economy of the United States (see attachment). FEMA's planned approach to Catastrophic Disaster Planning is based on a successful collaborative planning model for Federal, State, local, tribal nations, and members of the critical infrastructure to develop plans for State identified functional areas such as the following:

- Search and rescue
- Temporary medical care
- Debris
- Schools
- Evacuation
- Sheltering
- Temporary housing
- Transportation, staging and distribution of critical resources
- Access control and reentry
- Power, water, and ice distribution
- Volunteer and donations management
- Hazardous Materials
- External Affairs
- Others

Workshop design staff working with the Central United States Earthquake Consortium (CUSEC), States, other Federal partners (DHS, USCG, EPA, USACE, DOD and others) will identify important functional response areas, and develop planning tools and templates to address them. The stakeholders will lead the development of the concept of operations for each planning area within the workshops, creating multi-jurisdictional plans in a collaborative environment. As part of the overall initiative, training and exercises with the Catastrophic Planning stakeholders will be conducted.

41. In 2004, the Homeland Security Council developed 15 "Homeland Security Planning Scenarios." One of the scenarios described a catastrophic earthquake occurring near a major metropolitan area, resulting in at least 1,000 fatalities, 100,000 hospitalizations, 150,000 buildings destroyed, and hundreds of billions of dollars in economic damage. In sum, an earthquake of this severity could result in a disaster greater than Hurricane

Katrina. (Response)

- a. Please evaluate FEMA's readiness to respond to a catastrophic earthquake such as the hypothetical one described in the Homeland Security Planning Scenarios.

FEMA and the Preparedness Directorate, is working in partnership with the States, the Central United States Earthquake Consortium (CUSEC) and other federal partners, including DHS, the Coast Guard, Environmental Protection Agency, U.S. Army Corps of Engineers, Department of Transportation, Department of Defense NORTHCOM (ARNORTH) and other to assess readiness to respond to a major earthquake. FEMA and its partners are in the process of compiling and reviewing existing plans and identifying weaknesses to develop readiness goals and begin planning process.

- b. Which major metropolitan areas do you believe are most at risk of being struck by a catastrophic earthquake?

Earthquakes, like all natural disaster scenarios are impossible to accurately predict. However, seismologists with the U.S. Geological Survey have indicated to us that there are active seismic zones in many places around the country. In just the last 20 years we have seen damaging earthquakes Northern and Central California, the State of Washington, and Alaska. Additionally, the seismic zone encompassing St. Louis, Missouri and Memphis, Tennessee poses unique challenges.

- c. What do you believe are the most significant difficulties the federal government faces in preparing for such an earthquake?

FEMA and its partners are in the process of compiling and reviewing existing plans and identifying weaknesses to develop readiness goals and begin planning process. Some of the many issues to be addressed include: command and control; evacuation; hosting communities; search & rescue; special needs; commodity pre-staging and distribution; temporary medical care; region, state and tribal concerns; the critical infrastructure.

- d. If confirmed, what actions do you anticipate taking to overcome or mitigate those difficulties?

I will continue FEMA's ongoing efforts to work very closely in all of these key areas to improve our preparedness and response plans. We are currently engaged in a multi-state effort spanning four FEMA regions to address the seismic hazard in the Midwest, as well as working very closely with California to address its earthquake hazards.

- e. Please describe the national exercises and training you expect FEMA to lead or

participate in that would help prepare for a catastrophic earthquake.

Planning process will include developing scenarios, sharing lessons learned, conducting local functional workshops, and conducting an exercise (Spills of National Significance 2007) to create an environment and framework for further planning.

- f. Please describe current efforts to prepare for a catastrophic earthquake west of the Rockies, including any exercises and/or planning, and, how, if confirmed, you would move these efforts forward?

In early January 2006, FEMA, in conjunction with Region IX and officials from other Federal agencies met in California with State officials to discuss risks associated with California and other states. The Regional Interagency Steering Committee will continue to support the State in meeting emergency management requirements in support of catastrophic earthquake planning. We can provide a chronology of additional steps that have been taken by FEMA and the state that are relevant to strengthening its overall preparedness for disasters, including earthquakes. Also, staff members from FEMA's Region IX and the California Governor's Office of Emergency Services compiled a report titled State of California Catastrophic Disaster and Preparedness.

- g. The FEMA website notes that catastrophic earthquakes are not confined "solely to the West Coast region. In fact, two of the most severe earthquakes in U.S. history occurred east of the Rockies: one in Charleston, South Carolina, in 1886 and the other a series of three shocks centered near New Madrid, Missouri, in 1811-12. Measuring an estimated 8.5 in magnitude, the New Madrid earthquake sent shock waves as far west as the Rocky Mountains and as far east as Washington, D.C. and Boston." Please describe current efforts to prepare for a catastrophic earthquake east of the Rockies, including any exercises and/or planning, and, how, if confirmed, you would move these efforts forward?

Per HSPD-8 and the National Preparedness Goal, the DHS Preparedness Directorate's Office of Grants and Training (G&T) has adopted a capabilities-based planning approach to preparedness. This approach emphasizes development of a broad array of capabilities—such as interoperable communications; urban search and rescue, and mutual aid and assistance—that are applicable to a variety of manmade or natural disasters. Therefore, state and local jurisdictions should be planning, equipping, training and exercising against common capabilities, regardless of the scenario involved. For example, during the Hurricane Preparedness Exercises, participants are discussing issues related to the following five capabilities: communications, evacuation, mass care, public information, and resource management. While these exercises are using a

hurricane scenario to drive discussions, the same capabilities would be involved in an earthquake scenario.

In addition, in June 2007 the U.S. Coast Guard and FEMA will be conducting the Spills of National Significance (SONS) 07 exercise. The scenario for SONS 07 will be a catastrophic earthquake in the New Madrid fault system, and will test the implementation of federal, state, local, and private sector response plans in the context of a catastrophic incident. SONS 07 locations will include the Great Lakes, Mississippi River, and Ohio River regions, as well as responses initiated via federal agencies in Washington DC. SONS 07 is being designed as a national exercise to examine natural disaster response and recovery elements with an emphasis on catastrophic disaster relief and restoring critical infrastructure. The exercise will allow leaders to examine improved disaster response and recovery processes that are being developed as a result of Hurricanes Katrina and Rita.

- h. What role, if any, do you see for the Department of Defense in responding to a catastrophic earthquake?

As with all disaster our Federal partners, including DOD, bring their expertise and resources to bear as provided for in the National Response Plan.

- 42. An outbreak of pandemic influenza on the United States has the potential to be catastrophic. In addition to the social and economic effects, such an outbreak would be likely to lead to a massive loss of life. In fact, the National Strategy for Pandemic Influenza's Implementation Plan estimates that a modern pandemic could take the lives of between 200,000 and 2 million Americans. (Response/Preparedness)

- a. What do you see as FEMA's role in responding to an outbreak of pandemic influenza?

Lead departments have been identified for the medical response (Department of Health and Human Services), veterinary response (Department of Agriculture), international activities (Department of State) and the overall domestic incident management and Federal coordination (Department of Homeland Security). Each department is responsible for coordination of all efforts within its authorized mission, and departments are responsible for developing plans to implement this Strategy.

- b. How would you evaluate FEMA's current readiness to respond to an outbreak of pandemic influenza?

While the Federal government plays a critical role in elements of preparedness and response to a pandemic, the success of these measures is predicated on actions taken at the individual level and in states and communities. DHS's Preparedness Directorate is the lead for these activities, but FEMA will bring to bear its resources should a Presidential declaration be made for such an event.

- c. The National Strategy for Pandemic Influenza's Implementation Plan stated that the National Response Plan (NRP) will "form the basis of the Federal pandemic response." Since the NRP's issuance in December, 2004, the Homeland Security Council has issued a "National Strategy for Pandemic Influenza" (November, 2005) and the strategy's implementation plan (May, 2006). What revisions to the NRP, if any, do you believe are necessary to ensure that it will be effective in forming "the basis of the Federal pandemic response"?

Since the NRP is the basis for the implementation plan, at this time, we do not believe that additional changes are needed to the NRP.

- d. If confirmed, what training or exercises, if any, do you believe are necessary to ensure that FEMA is prepared to respond to an outbreak of pandemic influenza?

DHS's Preparedness Directorate is the lead for these activities, and will determine the training or exercises necessary to ensure DHS is prepared to respond.

- e. What role, if any, do you see for the Department of Defense in responding to an outbreak of pandemic influenza?

According to the *Implementation Plan for the National Strategy for Pandemic Influenza*, the Secretary of Defense will be responsible for protecting American interests at home and abroad. The Secretary of Defense may assist in the support of domestic infrastructure and essential government services or, at the direction of the President and in coordination with the Attorney General, the maintenance of civil order or law enforcement, in accordance with applicable law. The Secretary of Defense will retain command of military forces providing support.

43. GAO has recommended that the National Response Plan base plan and its Catastrophic Incident annex be supported and supplemented by more detailed and robust operational implementation plans and the Committee has made similar recommendations in its own report. Has FEMA taken any action to implement GAO's and the Committee's recommendations?

The NRP, the catastrophic incident supplement, and standard operating procedures for the JFO, NOC, NRCC, and the ESF's are all updated and expanded for improved operations. FEMA, in concert with the other Federal Agencies and Departments, has initiated the process to develop more detailed and robust operational implementation plans to support the National Response Plan and the Catastrophic Annex. Since January 2006, FEMA has conducted numerous meetings of the Emergency Support Function Leadership Group (ESFLG), followed up with individual meetings with each of the member ESFLG member agencies and departments to update their Standard Operating Procedures and develop a coordinated concept of operations for the 2006 hurricane season. This effort will continue as an ongoing process to make certain that we meet the intent of this

recommendation. We are using the results of this effort to support joint exercises with the States in advance of the hurricane season, and further refine our implementation plans based upon the results of those exercises.

44. DHS has encouraged regional planning as one of its national priorities under the National Preparedness Goal. To what extent and how should FEMA encourage and foster a role for regional or multi-state entities in emergency planning and response?

FEMA, through continuous dialogue, training, and exercise between the state and local governments and its Regional Offices, encourages and fosters regional and multi-state planning and response.

45. Under Emergency Support Function 14 of the National Response Plan, FEMA is responsible for coordinating the resources of federal departments and agencies to support the long-term recovery of states and communities. The Office of the Federal Coordinator for Gulf Coast Rebuilding, also housed within DHS, was created by the President to help coordinate the federal response to rebuilding the hurricane-devastated region. Given their similar functions, how do these offices coordinate and what should be their respective roles regarding rebuilding the Gulf Coast? Are there any plans to change FEMA's responsibilities in this regard?

In recognition of the scope and depth of long term recovery and reconstruction challenges across the Gulf Coast, on November 1, 2005, the White House appointed Donald E. Powell as Coordinator of Recovery and Rebuilding in the Gulf Coast Region. As the Coordinator of Federal Support for the Gulf Coast Recovery and Rebuilding, Mr. Powell is responsible for developing a comprehensive Gulf Coast long term recovery plan and coordinating policies and programs for mid-to-long-term federal recovery and rebuilding efforts in the Gulf States region. He is also responsible for coordinating federal involvement in support of state and local officials on issues ranging from economic development to infrastructure rebuilding.

FEMA continues to provide leadership for long term recovery efforts and FEMA program oversight at both the field and headquarters level. Field leadership is provided by the Federal Coordinating Officers and directly supported by staff at the Joint Field Offices, including Emergency Support Function #14 (ESF #14) – Long Term Community Recovery. FEMA is also hiring locally based staff, independent of current and future FEMA disaster operations, to continue program implementation activities

FEMA headquarters leadership is provided by the Director's Office, through the newly created position of Deputy Director for Gulf Coast Recovery, who provides agency leadership and oversight for FEMA's ongoing Gulf Coast recovery efforts and coordinates closely with Mr. Powell and his staff.

46. Under the National Response Plan, FEMA is the lead agency for Emergency Support

Function #14 - Long-Term Community Recovery and Mitigation Annex. Describe how FEMA has sought to carry out its responsibility under ESF #14. Has FEMA developed an incident-specific Federal action plan for long-term recovery efforts? What is the timeframe that FEMA is using to plan for the long-term recovery of the Gulf Region? Do you believe there are sufficient authorities and resources for FEMA to effectively undertake its responsibilities for long-term recovery under the new ESF-14?

In an event of this magnitude, ESF #14 plays a critical role in assisting State and local officials in assessing long term community recovery impacts, working with communities to develop long term community recovery plans, and coordinating across Federal agencies to support the implementation and funding of long term community recovery projects. This planning is ongoing.

Hurricane Katrina was the first disaster to prompt activation and field operation of ESF #14. This activation has demonstrated the reality that in a catastrophic disaster, State and local recovery and planning capabilities will fall short of the Herculean tasks that lie ahead of rebuilding entire communities from the ground up. As ESF #14 Coordinator, FEMA recognizes the need to continue to develop trained staff resources to support the ongoing development and implementation of ESF #14. Even with staffing support from ESF #14 Federal agencies and FEMA technical assistance contractors, ESF #14 staffed Hurricane Katrina field operations at a minimal level. It is essential that FEMA and its partner agencies expand and maintain the base of trained long term recovery staff who can support long term recovery planning at the Regional, State, and national levels.

FEMA's authority to provide disaster assistance is established under the Stafford Act. The Stafford Act, as it is currently written, does not explicitly recognize long term recovery activities as a type of assistance to be provided to State and local governments to support the reconstruction and rehabilitation of (disaster) devastated areas, even for catastrophic disaster events. Though they are not ideal, FEMA maximizes the authorities that are available in the Stafford Act to meet its ESF 14 Coordinator responsibilities and encourages its partner primary and support agencies to do the same. Clearer authority to support assessment, planning, and technical assistance for economic recovery and overall comprehensive recovery would simplify this task. It is important to recognize that assisting states and communities to plan for and achieve long term recovery is a necessary extension of FEMA's recovery mission.

47. Do you think that the National Response Plan should be revised to include an emergency support function for coordinating the protection and the restoration of critical infrastructure?

I am working with the DHS Undersecretary for Preparedness to determine what revisions should be made to the National Response Plan. A comprehensive review and revision of the NRP is tentatively planned for late summer and fall of 2006. The inclusion of an emergency support function for coordinating the protection and the restoration of critical

infrastructure is an area that should be explored as part of that review.

Personnel

48. What value do you place on hiring FEMA employees with prior emergency management experience, including at the local level?

FEMA is always looking to hire the best and the brightest whose interests and experience are complimentary to the FEMA mission to protect and serve our nation. Hiring is done based on programmatic priorities, skill set requirements, knowledge base, and experience.

49. The recent DHS OIG report, entitled "A Performance Review of FEMA's Disaster Management Activities in Response to Hurricane Katrina," states that "FEMA's poor workforce management and frequent reorganizations have not provided sufficient trained staff for catastrophic surges or day-to-day operations." (p. 109) How do you plan to address weaknesses in the day-to-day operations that were highlighted in that report – including vacancy rates of up to 20 percent, funding constraints, low morale, and inadequate succession planning?

FEMA is in the midst of our 2006 Hiring Initiative. Working closely with FEMA senior management, FEMA's Human Resources Division is holding meetings to identify skill requirements and staffing priorities.

The hiring initiative provides a multi-pronged approach to meet these staffing requirements in an expedited manner, including:

- FEMA's Human Resources Division has enhanced staffing by hiring Stafford Act Employees and contract staff for support. DHS headquarters human resources staff have also been detailed to FEMA for support.
- A "Katrina Hiring Team" has been created – with team units focusing on specific job types and locations (i.e. PFT, 2 year CORE, 4 year CORE positions; HQ, regional, field locations).
- Timeframes for each step of the hiring process have been compressed to ensure success.
- The security clearance process has been streamlined.

FEMA expects to reach approximately 87% of its staffing capacity by June 1st – and to reach 95% of its staffing capacity by the start of pay period 14 (July 9, 2006). As of May 15, 2006, FEMA had met 80% of its staffing needs.

FEMA's major operational components include the Readiness, Mitigation, Response, and

Recovery Divisions, and the Office of National Security Coordination. The FY 2007 President's Budget requests nine enhancements to FEMA's funding totaling \$151.9 million and 200 Full Time Equivalents (FTE), enhancing FEMA's ability to respond to and recover from disasters. FEMA intends to maintain an aggressive hiring schedule to meet existing and newly funded hiring requirements that support these enhancements. With the augmented Human Resources Division staff, streamlined security clearance process, and vacancy "strike" teams in place, staffing difficulties are expected to be minimal.

FEMA has informally focused on succession planning for years. The Agency utilizes its training development programs as a tool to cultivate, develop, and grow future leaders. The Career Enhancement Program provides FEMA personnel, up to GS-8 level, with a career development path for individual growth and career enhancement. The Professional Excellence Program (GS 9-12) prepares FEMA's employees with the skills necessary to be effective leaders in a rapidly changing Federal environment. The Leadership Excellence Program (GS 13-15) is a professional development program for individuals who have a need for or desire to participate in comprehensive leadership training. The training is designed to improve and/or enhance leadership skills and abilities.

FEMA also has a formal mentoring program designed to promote career development and share FEMA's organizational and institutional knowledge amongst FEMA employees. The goal of the mentoring program is to enhance leadership capabilities by having seasoned leaders share their experiences. Progressive, successive training and experience opportunities are being developed by FEMA's training folks as we speak. These opportunities will take strategic human capital management and succession planning to a new level within our organization.

In addition, the Agency is working with the Department to develop competencies for our mission critical occupational series and is in the process of developing a formal succession plan methodology to provide employees with tools to guide their career from "cradle to grave" and ensure we have a pipeline of future leaders.

50. Another initiative noted by Secretary Chertoff has mentioned is to train employees from across the government to be "disaster generalists" in order to augment surge capacity.
 - a. How specifically will such a program operate, e.g., selection of employees, geographical location, initial and ongoing training, reporting authority, evaluation, and responsibility for ESF functions?

As a general principle, FEMA will first deploy its existing resources to any disaster. We plan to deploy our FEMA teams at the outset, including Emergency Response Teams, Federal Initial Response Support Teams (FIRST), and Rapid Needs Assessment Teams. In some cases, these teams will be positioned prior to a disaster declaration or in advance

of a storm reaching land. Based on the size and scope of the incident or disaster, we will next deploy our regular FEMA disaster workers composed of Disaster Assistance Employee (DAE) reservists and full-time FEMA employees. These FEMA assets should be sufficient to allow FEMA to respond to the great majority of disasters, especially given that FEMA has added nearly 5000 DAEs in the months following Hurricane Katrina.

If the scope and magnitude of a disaster warrants it, FEMA will augment its disaster workers by deploying Department of Homeland Security (DHS) employees, members of the Coast Guard Auxiliary, and firefighters. If there is still a need for additional "surge" support, FEMA plans to ask for assistance from other federal agencies. All of these groups have supported FEMA in the past and we plan to build on and learn from these experiences, in the event that we need to call on these groups, components, or agencies in the future. Supporting employees would be drawn from across the US including its territories.

Surge employees are being trained following the model we have developed for training FEMA's newly formed Disaster Generalist DAE group. These surge employees receive an overview of FEMA's mission and rules as well as training in a number of basic but important functions, including tasks in the Community Relations, Individual Assistance, Public Assistance and Logistics sections. The training we have developed lasts about one week. While the length of the training could be compressed if necessary, we have found that proper training is essential to the effective use of new employees. There may also be opportunities for these employees to receive "just in time" training at the disaster site, depending on the needs of the disaster operation and available training resources.

Employees will report to designated supervisors or team leads in accordance with NIMS/ICS doctrine and span of control principles. Their evaluation will also follow NIMS/ICS principles.

If employees from DHS and other federal agencies are deployed in a surge capacity, their roles and functions will be separate and distinct from the Emergency Support Functions (ESF) designated for various agencies and components in the National Response Plan.

- b. Under what circumstances would they be deployed? What role specifically will these cadre employees assume in a disaster?

Surge employees would be deployed in response to a disaster that requires support beyond FEMA's existing employees.

- c. Who would authorize their deployment?

The deployment of any DHS employees or employees of other federal agencies would be authorized by the Director of FEMA or his (or her) designee in coordination with their respective organizations.

51. Secretary Chertoff has also said he is forming a cadre of full-time disaster response trained individuals. Please explain this initiative in detail and provide a summary of the current status of this initiative.

We started Hurricane Katrina with about 3,000 Disaster Assistance Employees and hired 5,000 more. We would normally release the additional hires after the disaster as we did in the 2004 Hurricane season, however, this year we did not release any of these employees. Instead, in order to be better prepared for this coming hurricane season, we have taken 3,000 of our 8,000 Disaster Assistance Employees and formed a Disaster Generalist Group. These 3,000 employees will receive an overview of FEMA's mission and rules as well as training in a number of basic but important functions, such as Community Relations, Individual Assistance, Public Assistance, and Logistics work. This will allow us a ready and capable surge force that can hit the ground running.

52. Failure to have enough trained personnel is one of the problems identified in the Committee's report on Hurricane Katrina. What percent of FEMA's appropriated full-time permanent staff positions are currently filled? How many individuals does FEMA currently have in its Disaster Assistance Employee cadre? What training have DAE's received during the last 12 months?

As of May 15th, 80% of FEMA's Permanent Full Time (PFT) positions are staffed. FEMA currently has 8092 reservists in its Disaster Assistance Employee cadre. Training of DAEs, particularly those at disaster sites, is ongoing. DAEs also continue to receive training through distance learning and online training and at courses offered at the Emergency Management Institute. Perhaps most significantly, FEMA has undertaken a large scale program to train nearly 3000 Disaster Generalists. These Generalists were hired as surge DAEs following Hurricane Katrina. They are being trained to perform a variety of basic but important tasks in several program and functional areas. FEMA has already trained over half of the Generalists and training efforts are continuing.

53. The Committee's Katrina investigation revealed inadequacies in FEMA's surge workforce for disasters such as a failure to have enough trained Disaster Assistance Employees that arrive in a timely manner. Has FEMA taken any steps to improve the Disaster Assistance Employee program? If so, what are they? Please describe in detail.

FEMA has retained nearly 3000 Disaster Assistance Employees (DAEs) hired as "surge" disaster workers in 2005. Rather than releasing these employees, FEMA has undertaken an effort to train them as Disaster Generalists. As Generalists they will compliment FEMA's more experienced DAEs who are assigned to particular "cadres". Typically they will be assigned wherever needed and teamed with experienced DAEs. Because the Generalists are not affiliated with a particular program or function they will have the flexibility to move from one assignment to another as needed, following the workflow and requirements of that disaster.

54. What is your plan to recruit and retain a highly-qualified FEMA workforce?

FEMA continues to recruit a highly skilled, multi-talented, diverse workforce from among the best and the brightest the nation has to offer. Tapping into recruitment mechanisms such as targeting trade industries, renowned colleges, professional membership organizations, and more, FEMA has been able to reach highly qualified and diverse candidates.

FEMA also offers a multitude of work-life programs to retain highly qualified employees. These programs include: alternative work schedules, leave programs, part time work, job sharing, telework and transit subsidy. Family support options available include healthcare flexible spending accounts, dependent care flexible spending accounts, elder/adult dependent care support, family leave and employee specific support available through the Employee Assistance Program.

Recruitment and Retention Bonuses, Relocation Allowances, and Student Loan Repayment Program are also able to attract and retain employees of a high caliber. FEMA's Reward and Recognition Program offers employees recurrent reinforcement for outstanding work and performance.

55. Do you believe there are an appropriate number of political appointees relative to career employees among FEMA's senior leadership? What will you do to ensure that all high-level FEMA employees have appropriate experience and qualifications for the positions?

Yes. FEMA employment opportunities posted for leadership positions are written to ensure that the experience, level of expertise, technical skills and abilities, and necessary related qualifications are considered. Only those applicants meeting the requirements for the position are considered.

56. Some FEMA employees are concerned about health hazards they have encountered when deployed to the field, for example, particles in the air following the World Trade Center bombing and various airborne and waterborne contaminants and bacterial hazards present in areas of Louisiana and Mississippi following Hurricane Katrina. What will you do to ensure that FEMA employees' health and safety are monitored and protected during disasters and that their health conditions are followed up afterward? (Health & Safety)

Our employees at FEMA are our most important asset and the health and safety of our employees is one of our prime concerns. FEMA is committed to providing a safe and health workplace for employees even in the midst of a disaster response. FEMA has a fully staffed disaster safety and health team that are deployed to all disaster locations to provide immediate safety and health assistance to all disaster employees. These onsite safety professionals are assigned and responsible for day-to-day protection and

empowered to ensure all operations are conducted in a safe manner. Monitoring is conducted for specific hazards (known and unknown) that are identified during the course of the disaster by our disaster safety and health team. Employees are properly trained or alerted to exiting or evolving worksite hazards either by FEMA's safety professionals or onsite health care providers.

After returning from deployment, employees with ongoing health care problems are encouraged to see their personal physician. Many FEMA locations have access to onsite medical resources (clinics) where employees can discuss their health concerns or be evaluated by a health care provider. When medical conditions are suspected as being work-related, employees can be quickly moved into the proper health care system to address these needs.

Stafford Act

57. How well do the authorities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) fit today's needs for effective disaster response? What, if any, changes do you believe need to be made to the Stafford Act to better enable FEMA to accomplish its mission?

FEMA is looking closely at its authorities and the various after action reports to determine whether any statutory changes to the Stafford Act are necessary. We look forward to working with Congress on suggested and recommended changes to the Stafford Act and related authorities.

58. Under the authorities of the Stafford Act, FEMA provides disaster assistance to individuals and communities. The DHS OIG reviewed FEMA's response to Hurricane Katrina and determined the authorities of the Stafford Act are adequate to deliver the necessary assistance required in response to a catastrophic event. The OIG noted, however, that "Individual Assistance programs are cumbersome, not easily administered, confusing to applicants, subject to funding caps, cost share requirements, and time limitations." Do you agree with this assessment and, if so, what steps will you take to make the receipt of individual assistance less cumbersome and confusing to applicants and easier to administer for the agency?

Overall, FEMA does not agree that the Individual Assistance program is cumbersome for the applicant to navigate. Most initial payments of FEMA financial assistance are delivered with minimal input from the applicant via registration over the phone or internet, a home inspection and automated processing.

The unprecedented 2004 and 2005 Hurricane Seasons presented unique challenges, which by their nature, slowed down these traditionally very timely processes. The sheer number of applicants alone did diminish an individual's ability to readily

access information and assistance without being persistent. While massive efforts were implemented to increase our registration and helpline capacity to its greatest extent, many individuals did have to call several times to register as well as to access our helpline.

It is true that the applicant bears the burden of providing FEMA information and documentation to demonstrate eligibility, insurance coverage, primary residence, or a need for continued assistance. It is also the applicant's responsibility to contact FEMA with any updates of this information. These documentation requirements for assistance can sometimes be laborious; however they must exist in order to balance the provision of assistance with the prudent and accountable spending of taxpayer dollars.

I do, however, believe we should make every effort to help make the process of receiving assistance as easy as possible for all eligible applicants. To this end, FEMA is making many technology improvements: expanding our registration, Helpline and inspection capabilities, and exploring options to utilize existing technology that could diminish some of the documentation requirements currently placed on applicants. We are also working to take advantage of technology to improve communication with applicants – utilizing e-mail and the internet options when appropriate.

Additionally, as part of its retooling initiatives, FEMA is implementing a new, aggressive shelter registration protocol whereby teams of individuals and mobile registration intake vehicles will deploy to directly to congregate shelter locations to register individuals, to further speed the delivery of eligible assistance.

Most notably, we have implemented a comprehensive review of the way we communicate with our customers. The results of this review will be incorporated into an improved agency communications strategy.

Housing

59. According to the Stafford Act, "The President may provide financial assistance or direct assistance to individuals or households to construct permanent housing in insular areas outside the continental United States and in other remote locations in cases in which no alternative housing resources are available; and the types of temporary housing assistance described in paragraph (1) are unavailable, infeasible, not cost-effective." FEMA's Federal Coordinating Officer for Louisiana, has testified that

"Temporary Housing is not cost effective or customer oriented. It can cost up to \$90,000-\$100,000 per mobile home for a group site (total costs for site preparation, hauling and installation, and cost of home) and \$30,000 - \$40,000 for a travel trailer. Families can stay in this temporary housing for up to 18 months, but then they are required to leave. If we gave them the maximum of \$26,200, many of these families would have the resources to find permanent housing immediately. This would allow them to quickly get on with

rebuilding their lives and afford them an immediate permanent housing solution. It also saves the U.S. taxpayer hundreds of thousands of dollars."

Do you agree with this assessment and, if so, what steps will you take to use the flexibilities available in the Stafford Act in future disasters to determine whether the alternative approaches to provide immediate permanent housing solutions for evacuees are identified and made available?

As was the case following Katrina, when *all* housing stock is destroyed or substantially damaged, the provision of temporary housing in the form of a mobile home, travel trailer or other readily available manufactured housing unit becomes the only viable option for quickly returning individuals to their own communities to begin the process of recovery.

Other forms of housing assistance (repair and rental assistance), are certainly FEMA's preferred choice of providing housing and are often more cost effective, but those options were not available following Katrina and in some areas, remain unavailable. Simply providing someone \$26,200 would not have allowed them to find a permanent housing solution and remain in their community or where their job was located. Many of the travel trailers have been placed on homeowners' properties so they can continue living there while repairs are made to their homes.

Manufactured housing is providing a welcome and viable housing option for literally tens of thousands of people in the gulf and other areas, but FEMA has utilized other alternative approaches as well. Because of the widespread devastation to the most heavily impacted areas, and utilizing the flexibility of the Stafford Act, in November 2005, FEMA made use of remote sensing technology to help verify damage and determine eligibility for certain applicants, to provide individuals who were uninsured, and have no repayment ability, the maximum assistance grant of \$26,200 to help with real and personal property losses.

Approximately 50-60,000 applicants in the most heavily impacted zip codes in the hardest hit parishes and counties in LA and MS had their eligibility determination made through the alternative technology. The funds received through this determination represented the balance of assistance people will be eligible for and are intended to help those impacted by Katrina in the areas of greatest impact to begin their recovery by securing longer-term housing and replacing personal property.

60. The lack of a preplanned simulated, and coordinated federal disaster housing strategy has contributed heavily to the confusion, delay, and inefficiency of FEMA's efforts to house disaster victims. Facing the enormous number of displaced Gulf Coast residents in the immediate aftermath of Katrina, FEMA took an innovative approach to utilizing its authority provided by the Stafford Act to provide emergency sheltering. It worked with states across the country, cruise liners, and hotels/motels to provide adequate shelter for the unprecedented number of evacuees. While the program was costly, it provided FEMA time to begin working on solutions to transition victims to more suitable long term

disaster housing. Nonetheless, problems began to surface in FEMA's pursuit to understand just who it was paying to house. Still more problems cropped up as FEMA sought to transition victims from emergency sheltering to longer-term transitional housing.

- a) What is FEMA's role in coordinating an interdepartmental and interagency disaster housing strategy between the federal partners providing disaster housing assistance?

Overall, FEMA's role is to coordinate the activities of all Federal, State, and local agencies and organizations in providing disaster relief. Such coordination occurs directing in actual disaster response and recovery operations. In Hurricane Katrina, FEMA established a Housing Area Command in the field to ensure housing issues were being identified and communicated to other Federal Agencies as well as FEMA headquarters in order to address the needs in the impacted areas. FEMA established a Recovery Support Center, based at Headquarters, where agencies such as HUD, USDA, VA, IRS, and SBA worked cooperatively to develop and implement housing options. FEMA also has various Interagency Agreements, Memorandums of Agreement, and Memorandums of Understanding, etc., with agencies and organizations involved in disaster relief.

- b) What plans are underway to link FEMA, HUD, SBA, and other federal partners involved in providing disaster housing? What is your timeline for crafting, implementing, and exercising such a strategy?

FEMA already has established Federal partnerships in the arena of disaster housing. SBA has for many years been a direct and active participant with FEMA in providing disaster housing. The field and headquarters coordination following Hurricane Katrina continues and will be incorporated into the creation of the Joint Housing Solutions Taskforce (JHST) to advance our comprehensive housing planning for the upcoming 2006 Hurricane season and beyond.

- 61. FEMA's trailer and manufactured homes program has been wrought with problems ranging from delays in set up for occupancy, to major issues finding site locations to place trailers, and severe maintenance concerns. Currently, out of the 90,000 manufactured homes requested for Louisiana, only 62,390 requests have been filled. (Recovery)

- a. What do you believe has been the biggest impediment to the efficient and timely use of the trailer program for Katrina evacuees?

As of May 06, 2006, we have placed over 112,000 travel trailers and mobile homes in the AL, MS and LA Katrina disaster area that are occupied or ready for occupancy.

There were a variety of factors that caused delays in getting the manufactured housing mission underway in short order, including the massive devastation to the infrastructure of the Katrina impact areas and resulting pollution and debris that impeded response and recovery efforts. Disaster victims were also dispersed throughout the United States in the greatest internal migration since the dust bowl era, and conditions were not supportive of their near term return. Many of the impacted areas were located in floodplains that seriously restrict the types of developments that can take place. The high level of reluctance on the part of local residents and officials to accept temporary manufactured housing group sites within their community was greater than we anticipated. Consequently, there simply have not been enough sites suitable for the use of mobile housing units to support a quick return to the disaster area.

Even though we are not as far along as we would like, we have made major strides in providing mobile housing units for Katrina disaster victims. The focus of our efforts has been on providing units to individuals for placement on private sites, followed by placing units in commercial parks. A difficult challenge has been development of dedicated group sites because of both local reluctance to these sites in some areas and the very real limits in many of these areas of suitable locations with adequate infrastructure. We continue to work closely with the private sector and state and local officials to identify appropriate sites for placement of travel trailers and mobile homes, and to ensure appropriate supporting infrastructure is in place to meet the housing needs of disaster victims. We are also utilizing other housing options such as available apartments and homes in undamaged areas, federally-owned housing stock, and existing structures that can be converted into housing for near term use.

- b. What plans are being considered by FEMA to improve the trailer program? Do the Stafford Act and FEMA regulations provide sufficient flexibility for FEMA to provide disaster housing adequately?

Congress authorized FEMA's Housing programs to provide an immediate, temporary alternative to those whose pre-disaster dwelling is not habitable as a result of the incident. The programs are designed to be an interim measure while the applicants re-establish their pre-disaster household through means such as insurance settlements and low-interest loans. In most disasters, nearly all of FEMA's Housing assistance is in the form of small grants to enable applicants to make immediate and simple repairs to their dwelling or to rent another place to live while repairs are being made. Most people impacted by disasters remain either in or generally close to their dwelling while they pursue a return to normalcy.

Hurricane Katrina resulted in a vastly unprecedented number of people impacted, and more so, a previously un-encountered degree of displacement from the impacted areas. FEMA did make some adjustments to its programs within the statutory scope to accommodate this unique situation. However, FEMA's Housing programs are more geared to assisting people in or near their pre-disaster location rather than re-establishing

residency in areas far removed from the immediate disaster area.

- c. What alternatives to the trailer and manufactured housing program has FEMA considered?

FEMA has considered and evaluated several options other than trailers. On a somewhat regular basis, various private sector entities present modular or quick-assembly type facilities for consideration. Cost, practicality, aesthetic concerns, ease of use, and supply issues usually have made such products less than desirable, especially in comparison to traditional manufactured housing such as mobile homes and travel trailers.

FEMA has also evaluated, and sometimes used, existing housing units such as those in cruise ships, hotels/motels, dormitories, and military installations.

The Joint Housing Solution Group initiative will begin as a two-year project with the potential of continuing. Its purpose is to explore innovative ways to provide temporary housing to disaster victims by examining all available technologies and methods. The outcome is intended to be a compendium of housing options that have been thoroughly researched, tested, ranked, and compared to traditional methods and costs. Its functions will be to: 1) baseline the strengths and weaknesses of our current traditional direct housing methods; 2) research, field test, and rank alternate housing approaches, and 3) arrange for and oversee the deployment of new housing solutions where requested.

- d. What types of long-term disaster housing has FEMA provided, other than trailers and manufactured homes, in years past?

By statute, FEMA is only authorized to provide temporary housing assistance, with an exception made for disaster declarations in insular areas outside the continental United States (such as U. S. interests in the Atlantic and Pacific) and in other remote locations in cases which –

- a. no alternative housing resources are available; and
 - b. temporary housing assistance is unavailable, infeasible, or not cost effective.
- (P. L. 93-288 as amended, The Robert T. Stafford Disaster Relief and Emergency Assistance Act §§408(4))

Therefore direct federal assistance to provide temporary housing within the continental U.S. has been provided in the form of some type of manufactured housing unit (e.g. travel trailer, mobile home, or park model).

Again, the provision of mobile homes and travel trailers is usually the least used method for housing disaster victims. Home repair and rental assistance are more often used because they are more readily viable and are often more cost effective, and applicants prefer to stay in or close to their dwelling. In the vast majority of disaster incidents,

these options provide adequate housing solutions for disaster victims, therefore mobile home and travel trailer placement is not implemented.

62. While rental assistance and direct assistance in the form of trailers play an important role in disaster assistance, each has significant shortcomings. Trailers can be expensive to purchase and install, and difficult to site because of FEMA regulations and local resistance to where they are proposed to be sited. Rental assistance can be ineffective in the hardest hit areas of the disaster if rental housing has suffered major damage and for the most part is unavailable to evacuees. In light of this, have you considered alternative strategies to provide housing after a disaster? Do you believe the Stafford Act prohibits FEMA from pursuing alternatives to trailers or monetary rental assistance? If so, would you support efforts to provide FEMA with expanded authority?

First, it is important to recognize that FEMA must comply with all applicable Federal, State, and local codes, standards, specifications, and environmental rules. It is not just "FEMA Regulations" that must be considered in using manufactured housing.

FEMA continually explores the most expedient, high-quality, and cost-effective options for providing disaster housing. It is a most difficult challenge to find options that meet all three of these criteria. We work with both the public and private sectors in identifying potential alternatives to presently employed means of disaster housing. FEMA is establishing a Joint Housing Solutions Group to further explore innovative ways to provide temporary disaster housing by examining other available technologies and methods.

63. Under the Stafford Act, families displaced by disasters are eligible to receive rental assistance for up to 18 months provided that they have been unable to secure adequate housing on their own. In December, Congress directed FEMA to issue clear guidance regarding eligibility for housing assistance under the Individuals and Households Program and to include details for the extension of this assistance in such guidance. Why has FEMA failed to provide the guidance requested by Congress? When will the guidance be issued? Given lack of information about the FEMA recertification processes would you commit to amending the FEMA handout or creating a separate handbook to address these issues, to make this handbook public and provide to all persons who are being informed of the need to recertify to get continued housing assistance?

FEMA responded to Congress' request for a housing plan for Katrina/Rita victims on February 13, 2006. The Stafford Act and 44 CFR provide clear eligibility guidance. In addition, FEMA considers individual applicants on a case-by-case basis which allows FEMA maximum flexibility to meet the needs of the maximum number of eligible people; strict eligibility rules and guidelines would be contrary to this purpose and mission.

64. In the wake of Katrina, FEMA purchased approximately 25,000 manufactured homes,

intending that they would house Katrina victims. Yet FEMA's own regulations prevent these homes from being placed in a flood plain, and some of them do not even meet FEMA's size standards. As a result, 10,000 manufactured homes sit idle in a staging area in Arkansas.

- a. Do you believe that the decision to purchase this quantity of manufactured homes was a mistake?

FEMA recognized, even before Hurricane Katrina made landfall, that a proactive housing strategy would be required in its aftermath. Strategic considerations discussed below guided our tactical response as we made our initial purchases of mobile homes and travel trailers. We purchased housing units as a temporary measure to replace the tens of thousands of damaged and destroyed homes and to rapidly provide a place for victims to return home.

We began aggressively addressing the needs of the victims as quickly as possible. The catastrophic scale of Hurricane Katrina had a devastating impact on housing and apartment stock in the gulf coast and hundreds of thousands of victims were evacuating to safe havens throughout the country. This greatly complicated the mission of the housing area command as it began to tackle the short and long-term housing needs, and the most appropriate solutions for meeting these needs.

Recognizing that so many evacuees had suffered the loss of their homes, FEMA ordered tens of thousands of travel trailers and mobile homes, and also sought to identify other housing options, such as rental units, that provide a more sustainable environment. Within weeks, FEMA began the process of receiving and installing those units throughout the gulf coast region, both on private property sites, as well as on group sites. This strategy has provided 100,000 manufactured housing units ready for occupancy throughout the affected area, we believe this to be quite a logistical feat, as it vastly outstrips any previous temporary housing response and recovery effort in the United States.

FEMA and DHS realized immediately that the road to recovery would be difficult. In the absence of detailed information on communities' specific housing needs and priorities, we were still faced with the challenge of how to jump-start housing recovery. One of our temporary housing strategies is to place a travel trailer or mobile home on a victim's private property, next to their damaged or destroyed home, and thus support the rebuilding effort by allowing the homeowner to remain on his or her property.

There were several factors that led to our current mobile home inventory. Three principal factors contributed to this situation.

The first factor relates to our evolving temporary housing strategy. Initially, FEMA envisioned establishing mega group sites consisting of thousands of mobile homes as a

rapid means of getting displaced evacuees back into their affected state. However, this strategy, while operationally defensible, was subsequently rejected. One, the sites were not necessarily going to be located in proximity to or populated by victims from nearby communities, and, two, large group sites present social management challenges, particularly at the local level. As a result, FEMA reoriented the temporary housing strategy to focus on smaller group sites, in or in close proximity to communities.

The second factor has been the reluctance of local officials to accept mobile homes in group sites. Mobile homes, while larger and more spacious than travel trailers, are regarded with some degree of trepidation by communities and neighborhoods, who often view such temporary unit developments as potentially permanent fixtures. As a result, there has been widespread resistance to allowing such sites in many areas.

The final factor is floodplain management standards. Placing mobile homes in floodplains is addressed through E.O. 11988 and local floodplain management ordinances. E.O. 11988 provides Federal agencies a means to evaluate their actions to avoid, to the extent possible, the long- and short-term adverse impacts to floodplains and to minimize harm to people and property. Neither the E.O. nor the NFIP regulations prohibit the placement of these structures in the floodplain; rather they establish a process, as well as performance standards to minimize harm to people and property.

Federal agencies implement the Order through a decision-making process to determine whether the action is in or affects a floodplain and to determine the practicable alternatives to avoid the floodplain or to take steps to minimize impacts to the floodplain, to property, and to lives through safe building practices when the floodplain cannot be avoided. FEMA has been working closely with communities to ensure that they adhere to the Nation Flood Insurance Program floodplain management requirements. The intent of the Executive Order is to assure that the Federal government will require itself no less than it requires of communities for the protection of property from flood hazards.

b. What actions can be taken to prevent such problems in the future?

FEMA does not agree that poor decision making was widespread. Emergency management is a difficult and spontaneous process. In general for disasters, FEMA's critical focus is always centered upon getting the relief assistance to the disaster victims as soon as possible.

Notwithstanding, during a disaster, FEMA's personnel continue to focus on the relief effort while addressing lessons learned and control issues. To this end, FEMA, along with DHS, has contracted with PricewaterhouseCoopers, LLP to study financial oversight and internal controls, determine gaps in propriety and/or adequacy, and present comprehensive recommendations for practical solutions to audit findings, after-action reports, and any other risk conditions they may find.

While it would have been ideal to have a better understanding of the limiting factors,

earlier in the recovery effort and procurement process, prompt action did prevent supply shortages from emerging later in the recovery effort. As a result of these factors, FEMA has more mobile homes, than it expects to employ in the gulf region. However, while all of the mobile homes that were ordered in response to Hurricane Katrina may not ultimately be used in the gulf region, many of these units will be used to support other disaster response operations.

- c. Are there measures in place at FEMA, or should there be, to hold accountable individuals who make such poor decisions in spending taxpayer dollars?

The DHS Office of Inspector General (OIG) investigates and prosecutes cases of fraud, waste, and abuse of federal disaster funds.

- d. David Garratt, FEMA's Director of Recovery, testified before the Committee on April 21 that FEMA will relocate a total of 3,000 of these units from Hope, Arkansas to other staging areas around the country. How much will this transfer cost? How does this compare to the cost of continuing to store them in Hope, Arkansas?

The cost is \$6.00 per mile per Mobile Home. Moving 3,000 units approximately 1,000 miles (to various staging areas north of Hope) will cost approximately \$18,000,000.

The additional cost of continuing to store the units at Hope would be negligible, because that site will still hold 7,000 units. Costs at that site are relatively fixed, and include rent, refurbishment and repair of units, and the improvement of the site. Total costs at the site for FY06 are approximately \$9 Million.

- e. Under the Stafford Act, not-for-profit entities are eligible to receive mobile homes to be used to provide temporary housing to disaster victims. Will FEMA donate any of these units to not-for-profit entities? If so, when?

FEMA's Recovery Division is currently developing an interim policy relative to this topic. When implemented, the policy would establish procedures for donating temporary housing units, purchased and used by FEMA, to Voluntary Organizations providing assistance to disaster victims who are not able to receive Federal or State disaster assistance. This policy would not affect FEMA's discretion to sell, transfer, donate, or otherwise make temporary housing units available to States and other governmental entities. Temporary housing units include mobile homes and travel trailers.

The policy's effective date is tentatively set to be June 1, 2006.

- 65. FEMA must work in close coordination with the Department of Housing and Urban Development on a variety of disaster recovery housing issues. For example, under the

Stafford Act, the amount of temporary rental housing assistance provided by FEMA to disaster victims is based on the fair market rent (FMR) for the accommodation. The FMR is established by HUD and based on the estimates of rent plus the cost of utilities throughout a geographic area. Housing shortages and high demand for rental property have made rental prices in the Gulf Region soar. Yet eight months into the recovery, HUD has not adjusted the FMR's for most of the cities in the Gulf Region. Does FEMA have the ability to raise the amount of rental assistance it provides to disaster victims above the FMR's set by HUD? What steps has FEMA taken to urge HUD to adjust FMRs in cities housing large numbers of evacuees from the storm, e.g. Houston, Dallas, Memphis, Atlanta, Jackson? Do you believe that there has been a delay in adjusting the FMRs in areas of the Gulf Region?

FEMA uses the most recently available FMRs for rental resources published by HUD. Using these existing rates, FEMA can provide rental assistance to eligible applicants within 72 hours of the incident.

If FEMA did not use HUD as the basis for rental assistance payments, FEMA would be responsible for establishing post-incident fair market rates for rent. This post-incident process would cause undue delays in providing rental assistance because of the ever-changing housing market post-disaster.

After a disaster event, it takes some period of time for the rental market impacts to become apparent in affected areas. Market rates are influenced by many variables to include pre-disaster vacancy rates. FEMA adjustments to HUD approved FMRs prior to analysis on disaster impacts would not be fiscally responsible.

FEMA is currently working with HUD to improve methods for quickly establishing accurate and reliable post disaster rental rates following a disaster, including the impact on rental markets receiving large numbers of evacuees.. In consultation with HUD, FEMA seeks to establish an interim policy for increasing the FMR for rental resources within declared states.

66. According to FEMA officials and media reports, approximately 18,000 of the 55,000 Katrina families that originally received temporary rental assistance through FEMA's Section 403 Sheltering Program will be receiving notices that they no longer qualify and will be asked to pay for the rent themselves or vacate the apartment. Evacuees report being confused about their denial for continued housing assistance and local government officials express concern that FEMA has incorrectly denied thousand of cases. For example, City of Houston officials report that 1,000 evacuees received denials as a result of a computer glitch that incorrectly transposed the names of evacuees. Is FEMA reviewing the denials of the approximately 18,000 families transitioning out of Section 403 Sheltering Program to ensure their denials are legitimate? What has FEMA done to publicize the steps persons must follow when transitioning from the Section 403

emergency housing program to the Section 408 temporary housing program? When cases are denied, should FEMA commit to pay for the continued assistance of all cases until any appeal is completed?

Currently, nearly 50,000 of those 55,000 households are determined to be eligible for continued assistance from FEMA. FEMA is carefully reviewing many of the ineligible households to ensure that the correct determination was made. As part of its review, FEMA is sending multiple letters to applicants, making outbound phone calls to applicants, and in some cases re-inspecting the pre-disaster dwelling of applicants. Many of the 55,000 households were actually given more than one opportunity to appeal, and FEMA has established a special group to expediently address and resolve appeals. When FEMA does in fact determine an applicant to be truly ineligible, the applicant is provided 30 days assistance from the date of notification of ineligibility to help them make alternative arrangements.

Expedited Assistance

67. FEMA decided to provide \$2,000 in Expedited Assistance to Katrina evacuees. Was this a good decision? Under what circumstances, if any, is Expedited Assistance appropriate and what are FEMA's guidelines regarding providing Expedited Assistance to disaster victims?

Yes, in rare cases, when a disaster event is severe and the need for immediate assistance surpasses the in-place and surge capacities to provide it, under its own authorities, FEMA can activate a process under the Individuals and Households Program (IHP) to provide Expedited Assistance (EA) to meet immediate, emergency needs. EA is only provided for a short period of time following the disaster to meet immediate, emergency needs when other regular forms of assistance (including insurance or voluntary agency support) are not available in a timely manner.

Search and Rescue

68. What changes should FEMA consider in the training and equipping of its search and rescue teams?

DHS/FEMA is currently finalizing a report to Congress that will discuss the total costs in FYs 2005-2006, and proposed for FY 2007, to operate and train the 28 urban search and rescue teams. The report will also address evolving needs of the program.

69. Is FEMA considering making its search and rescue teams capable of water search and rescue missions?

The FEMA Response Division is working, with direction from the White House Katrina After Action Report, to broaden the scope of ESF-9 from urban search and rescue to a

broader search and rescue focus that would include water search and rescue operations.

70. Do you support a universal map reference system for disaster response operations? Will you seek to add a universal map reference system to the National Incident Management System?

The NIMS Integration Center is considering the adoption of the "National Grid" unified mapping system as a potential NIMS implementation standard. The mapping system would help save lives, reduce the costs of the disaster, and enhance all disaster related actions.

Evacuation

71. What is your vision of the proper role of the federal government in assisting state and local officials with evacuation?

Evacuation is first and foremost a State and local responsibility. The proper Federal role is to provide advice and guidance concerning the design of evacuation plans, to provide assistance through preparedness programs to State and local officials to develop those plans, to provide Federal financial assistance for evacuation costs in keeping with program requirements, and to directly assist in evacuation efforts at such time as the State and local efforts are overwhelmed by an incident.

72. What steps has FEMA taken to ensure that when the next disaster hits, FEMA staff will reach out to state and local emergency planners in order to determine as soon as possible what resources are needed to evacuate victims, and that FEMA will provide appropriate assistance as soon as possible?

FEMA is placing a great deal of emphasis on strengthening the Federal-State partnership to expedite response and hasten recovery. FEMA is approaching the 2006 Hurricane Season with a renewed sense of commitment and urgency and building on the lessons learned from last year's unprecedented experiences. We will be aggressively leaning forward with our emergency response team and relief commodities, ready to respond to any hurricanes we face.

The 10 FEMA Regions have been closely coordinating with their state counterparts for years; the communications lines are in place and well understood by all parties. When a no-notice incident occurs, the FEMA regions deploy a state liaison person to the impacted state's EOC; when there is advance warning, as in a hurricane, that person is deployed prior to landfall. At the same time, an advance element of the Emergency Response Team (ERT) is alerted and begins to deploy to the state EOC. Beginning this year, FEMA has 2 Federal Incident Response Support Teams (FIRST) that will deploy either prior to an event with advance warning, or very soon after a no-notice event. The Secretary of Homeland Security's Deployable Situational Awareness Teams (DSAT) are prepared to deploy when directed by the National Operations Center. FEMA has

routinely deployed Rapid Needs Assessment Teams immediately following a disaster for several years.

73. Has FEMA coordinated with USDOT and the states to plan for a federal role in evacuations when state and local resources are – or are expected to be – overwhelmed? If so, please describe in detail.

DOT and DHS have coordinated the review of and planning for a Federal role in evacuations. Congress requested DOT, in cooperation with DHS, to review and assess Federal and State evacuation plans for catastrophic hurricanes and other catastrophic events impacting the Gulf Coast region and report its findings and recommendations to Congress. The DOT evacuation study has been closely coordinated with an ongoing DHS study of emergency operations plans in States, territories, and 75 major urban areas. Furthermore, under the NRP, FEMA closely coordinates with DOT as the ESF #1 Coordinator responsible for providing Federal and civil transportation services to assist State, local, and tribal governments that need transportation support for domestic incidents.

FEMA is actively participating with the Departments of Transportation, Justice, Defense, Homeland Security and our other Emergency Support Function (ESF) departments and agencies, the American Red Cross, and State and local emergency management partners to assist in State and local evacuation planning and in developing a Federal evacuation plan in the event state and local resources are overwhelmed.

Through ESF#1 – Transportation we are working closely with DOT to identify transportation needs and capabilities. We recognize that during an evacuation event, the process for conducting is very complex and must begin well in advance of the actual evacuation. It is essential to have a well coordinated, thoroughly coordinated and vetted, plan to move people out of the affected area. This plan must involve all modes of transportation – air, rail, surface, and maritime. We are continuing to refine our estimates of the number of people that may require relocation and the number of transportation assets that will be required to conduct the evacuation.

74. What steps has FEMA taken to catalogue available federal resources that it could dispatch when state and locals are overwhelmed with evacuation needs?

FEMA has been closely coordinating with its Emergency Support Function partners at the Headquarters and Regional levels to discuss response asset capabilities and availability to assist state and local governments that may need assistance with evacuation and other disaster response needs. For example, FEMA is coordinating with DOT as the ESF #1 Coordinator responsible for providing Federal and civil transportation services to assist State, local, and tribal governments that may need transportation and evacuation support for disaster incidents. As part of this coordination, DOT is compiling a database of

commercial evacuation assets that FEMA can access to provide state and local support. Also, emergency fueling capabilities and arrangements are being implemented with the Defense Logistics Agency to support potential state and local evacuation needs.

Beyond the arrangements discussed above, resource typing (a categorization and description of resources by capacity and capability, and the basis of a system that will describe, inventory, request and track sources) is a part of the National Mutual Aid and Resource Management Initiative developed by the NIMS Integration Center (NIC) to support NIMS implementation. Through Emergency Management Assistance Compact (EMAC), a congressionally ratified organization that provides form and structure to interstate mutual aid, a disaster impacted state can request and receive assistance from other member states quickly and efficiently.

75. What steps have you taken to assess the capability of high-risk areas to evacuate their populations, and to identify deficiencies in state and local evacuation plans? What steps has FEMA taken to assist state and local officials with evacuation planning where needed? Have you coordinated with USDOT in these efforts? If so, please explain.

FEMA is currently actively participating with the Department of Transportation, Justice, Homeland Security and our other Emergency Support Federal departments and agencies, and State and local emergency management partners to assist in State and local evacuation planning and in developing a Federal evacuation plan in the event State and local resources are overwhelmed.

76. Sheltering is an important component for a successful evacuation as without a place to go, it is much harder to convince individuals to evacuate.
- a. What steps has FEMA taken to integrate planning for sheltering with planning for evacuation at a national level?

FEMA has begun a project to provide planning assistance to States to help them be better prepared host evacuees. We will create national guidance describing FEMA's policies and how to use Federal assistance to give the States a basis for planning. We will also provide planning technical assistance to help States and local jurisdictions develop operational plans for hosting evacuees. These plans will be consistent with Federal evacuee support planning. State and local capabilities as defined in their planning will be integrated into national level planning for an inter-State evacuation.

- b. Has FEMA coordinated this planning with the Red Cross and with state and local emergency planners? To what extent does FEMA's catastrophic planning make use of the Red Cross's national database of shelters?

The American Red Cross has been involved in FEMA catastrophic disaster planning since before Katrina. FEMA conducted a work shop on evacuee support in June 2005 in

which the Red Cross participated. Evacuation and shelter planning is primarily a State and local responsibility. FEMA will provide significant assistance to State and local governments to help them write evacuee hosting plans. FEMA is working closely with the Red Cross to establish a National Shelter Database.

77. An April 2006 U.S. News & World Report article indicated that Secretary Chertoff was currently assisting the country's 75 largest urban areas "hone their evacuation plans" in the event of a flood. What progress has DHS made on this front, specifically with respect to the city of New Orleans and other Gulf Coast metropolitan areas?

Given the significant changes to infrastructure, demographics, and the number of individuals living in temporary housing after Hurricane Katrina, DHS is working closely with Louisiana and its coastal parishes to update their evacuation plans. As part of this effort, a federal interagency team has provided technical assistance to Gulf Coast communities to ensure that their evacuation plans address alert and warning, transportation, and sheltering. Direct technical assistance is also being provided to coastal counties in Alabama. The federal interagency evacuation planning team is also working with the State of Mississippi to identify what technical assistance is needed in its coastal counties.

78. In the event that a catastrophic hurricane threatens New Orleans, Louisiana or any other coastal state, what are FEMA's plans with respect to providing direct federal assistance with the pre-storm evacuation and safe shelter of residents who lack personal transportation or for those who are admitted to a hospital or qualify as a special needs patient?

DHS/FEMA has been leading an aggressive interagency effort to support the State of Louisiana and its high risk coastal parishes in updating their evacuation plans for the 2006 hurricane season. Evacuation plans need to be updated to reflect the significant changes to infrastructure, demographics, and the number of individuals living in temporary housing, and the lessons learned from Hurricane Katrina. A federal interagency team is working directly with the State and the parishes to identify their current capabilities, resources, and requirements to support effective evacuations of all residents, including special needs populations. Federal planners are using the capability and resource gap analysis to plan for what federal assistance and resources will be needed to support state and local evacuations.

Both the 2004 and 2005 hurricane seasons highlighted the importance of preparedness steps taken at all levels of the emergency management sector. The timeliness of decisions involving pre-storm evacuations, with specific attention paid to the particular needs of vulnerable populations, have been the focus of considerable discussion between FEMA, its State and Local partners, and NGO/PVO partners who will play a pivotal role in pre-storm activities.

Because FEMA believes States should be encouraged to make economically and politically difficult evacuation decisions as early as possible, and since such actions fall within one of the articulated purposes of an emergency declaration (“...to lessen or avert the threat of a catastrophe...”), FEMA is currently considering a policy to address and clarify the circumstances under which a requesting State can reasonably expect to be favorably considered for a Presidential emergency declaration in advance of hurricane or typhoon landfall. Hurricanes, for all their devastating might, do provide us advance warning of their arrival and we should take advantage of that period to protect lives and property to the greatest extent possible.

The interim policy would clarify the circumstances under which a State will be considered for a Presidential emergency declaration prior to the actual landfall of a hurricane. The interim policy’s effective date is tentatively slated to be June 1, 2006.

79. With respect to New Orleans and the threatened strike of a catastrophic hurricane, please describe the Concept of Operations of federal support for such an effort that includes a description of the anticipated role of local, state, federal, and non-governmental agencies.

The National Response Plan (NRP) outlines how federal support will be provided. DHS has been leading an effort to make short term modifications to the NRP in advance of this hurricane season, including clarifying the role of the Principal Federal Official (PFO).

In April, DHS announced the pre-designation of five teams that will coordinate the federal government's role in support of state and local governments in preparing for, and responding to, major natural disasters this storm season. In total, 27 federal officials have been appointed, each with unique expertise and considerable experience. Designating these teams in advance has given state and local officials a chance to plan, train, and exercise with their federal counterparts before a disaster strikes.

PFOs and Deputy Principal Federal Officers (DPFOs) serve as the Secretary's representative on the ground and primary point of contact for state and local officials within their area of authority. They are responsible for coordinating overall federal activities relevant to an Incident of National Significance and for providing situational awareness. FCOs manage and coordinate federal resource activities related to the Stafford Act.

80. What metrics and parameters of the size, speed, and direction of such a hurricane – drawn from National Weather Service and National Hurricane Center storm-tracking, forecasts, and projections – will you use to determine the point at which FEMA would initiate or recommend to the Secretary of Homeland Security a proactive federal response or direct support for pre-storm evacuation?

FEMA maintains close coordination with the NWS and the NHC. A fulltime liaison from FEMA Headquarters is stationed at the NHC. At the first indication that a system

may develop into a tropical depression we are monitoring the situation and planning for potential operations. Our concept of operations provides for regular video teleconferences with the NHC, Regions, State and other federal departments and agencies well in advance of projected landfall. We rely on the forecasters at the NHC to provide us information and analysis as to the threat and as a basis for our decision-making. Obviously any system that is a major hurricane (category 3 or higher) or forecast to be a major hurricane is a major concern. However, hurricane forecasting remains an inexact science – particularly the forecasting of intensity. Systems are subject to major variations in strength over relatively short periods of time. Our concept of operations is to prepare for a storm one category higher than the official forecast. This provides us a margin of safety in developing and implementing plans. The bottom line is that we rely on the expertise of the NHC forecasters as a basis for our operational planning and response.

81. After an emergency declaration, what standards will you apply to requests for reimbursement of statewide pre-storm evacuation and shelter expenses that would likely be incurred by so-called host or inland parishes that are not directly impacted by a storm but bear the sheltering costs associated with a mass evacuation?

FEMA is in the process of publishing a revision to its regulation that will allow State and local governments that are not directly impacted by an event, but provide evacuation and sheltering services to citizens of an impacted area to be reimbursed through the governmental entity whose citizens benefited from the service. The current regulation requires that work must be completed within an area designated for assistance by the President. The regulation will be revised to allow funding for evacuation and sheltering services provided outside of the area designated for assistance provided the request for funding of those services is submitted by an eligible applicant within the designated area. The State and local governments that provide the services will be required to submit their costs to the recipient entity who can then apply for funding to FEMA.

82. What assistance do you expect the Department of Health and Human Services (HHS) to provide for the evacuation and shelter of special needs and hospital evacuees in the event of a catastrophic hurricane and what is FEMA's present understanding of the cost of that assistance and any legal impediments to HHS providing such assistance?

I would not want to respond on behalf of HHS as to what they are planning in terms of their response to the requirement for evacuation and sheltering of evacuees needing medical assistance. That said, there have been several recent and ongoing meetings between various States and the ESF-8 partners, including HHS and the National Disaster Medical System (NDMS) that focus on this issue. At this time, complete plans are still being finalized.

83. What is the present status of the update of the Hurricane Evacuation Studies for Louisiana and what is your present estimate of the time and funding required to complete or update Hurricane Evacuation Studies for all coastal states that are potentially threatened by

catastrophic hurricanes?

The Hurricane Evacuation Studies for Louisiana are currently included in the Nationwide Plan Review, which the DHS Preparedness Directorate is currently working to revise.

Security

84. The Stafford Act authorizes the use of federal employees, including federal law enforcement personnel, during the response to a disaster. Notwithstanding this, the Department of Justice has suggested during the course of our investigation that under a separate statute – 42 U.S.C. 10501 – a direct, written request from a state's governor to the Attorney General is necessary before law enforcement agents can be sent to an affected area. According to some witnesses from the Department, no matter what the circumstances, DOJ's hands are tied by this statute until it receives a request issued in the proper format, from and to the correct individuals. Are you aware of any requirement, separate and apart from a duly executed mission assignment from FEMA, that must be satisfied before the Department of Justice can fulfill a public safety and security need identified by FEMA for response to a declared disaster under the National Response Plan?

I have consulted with my General Counsel, and it is my understanding that 42 USC 10501 authorizes the Attorney General to provide assistance when he concludes a law enforcement emergency exists. A law enforcement emergency is an "uncommon situation" which is or threatens "to become or serious or epidemic proportions." 42 USC 10502. Such authority is separate and apart from the authority FEMA has to task another Federal agency with reimbursement to provide direct Federal assistance when that agency has resources which may be utilized for measures necessary to address an immediate threat to life and property resulting from a major disaster. 42 USC 5170a and 5170b. If the DOJ has reason to declare a law enforcement emergency, then it would rely on that authority and funding provided for that authority to carry out law enforcement assistance. However, if DOJ does not have a legal basis for declaring a law enforcement emergency, there is no reason that FEMA cannot task DOJ under the Stafford Act to utilize FEMA's authority and funding provided by FEMA from the disaster relief fund, for purposes of providing assistance to address an immediate threat to public health and safety.

Communications

85. Should FEMA expand the Mobile Emergency Response Support Units with more communications vehicles and satellite communications equipment that can be deployed to assist state and local disaster response efforts?

MERS is a key part of the re-tooling efforts currently underway. DHS/FEMA is committed to an investment strategy that includes both long-term and short-term procurements to increase operational capabilities throughout MERS. We have begun the

process with the help of the Disaster Support Initiatives.

This equipment will augment mission critical technical capability. Additional vehicles and equipment must be compatible with varying communications architectures in the state and local emergency management arena and have prior coordination and training with state and local emergency managers. Ultimately any expansion of MERS with additional communications vehicles and equipment must be accompanied by an increase in personnel to maintain, deploy, and operate the equipment.

86. Do you support the expanded implementation by federal entities of interoperable data communications systems, such as the CapWIN system in the Capital Region, to improve information sharing among federal agencies involved in response efforts following a disaster or terrorist attack?

Yes

Special Needs

87. Who within FEMA should be responsible for emergency preparedness planning for people with disabilities?

Emergency preparedness planning within FEMA for people with disabilities is a coordinated effort which involves all FEMA program divisions working with the Office of Equal Rights.

88. What percentage of housing that FEMA has purchased meet accessibility requirements, consistent with the concept of "universal design"?

Under the multi-phased simultaneous approach FEMA ascertained that roughly 6% of mobile homes, 8% of travel trailers and 75% of park models purchased from the manufacturers were considered by FEMA to be "accessible friendly" units. However, upon further analysis when implemented, it was determined that such units (the universal and accessible) fell short of the Uniform Federal Accessibility Standards (UFAS) guidelines established by the UFAS Access Board enforceable under the Architectural Barriers Act. In an effort to fully address this issue FEMA is:

(1) working very closely with the UFAS Access Board, HUD, state and local governments and private industry to identify accessible unit requirements for emergency housing units and other prefabricated units that may be used or identified as an alternate emergency housing solution,

(2) adjusting the inventory levels to establish a surge level of approximately 10 to 15% of temporary housing units that meet the accessibility standards established by the UFAS Access Board, and

(3) taking immediate measures to secure at least 1300 UFAS accessible units for the Gulf Coast area.

89. According to one assessment of the mental health of child survivors of Hurricane Katrina, as many as 8 percent, or 100,000, are expected to develop post-traumatic stress disorder. Do you believe that the funds that FEMA provides to state mental health agencies for crisis counseling will sufficiently meet the mental health needs of Katrina victims? If not, what do you believe is needed to help meet these needs? Does FEMA provide any other service to meet the specific needs of children during and after an emergency or disaster?

We are working with HHS to identify these gaps and how best to address them.

Native American Tribes

90. Executive Order 13175 requires all Federal agencies to consult and coordinate with Native American tribes on issues affecting them. In furtherance of this Order, FEMA has developed a policy on implementing the government-to-government relationship with Native American tribes. Please explain your thoughts or ideas on how consultation with Native American tribes should occur and whether or not you anticipate making any changes to FEMA's Policy for government-to-government Relations with American Indian and Alaska Native Tribal Governments? What steps, if any, will you take to improve FEMA's regional office relationships with Native American tribes and ensure that the regions act in accordance with Executive Order 13175 and FEMA's policy for government-to-government Relations with American Indian and Alaska Native Tribal Governments? What are your thoughts on providing designated tribal liaisons at each regional office?

FEMA Tribal Policy was developed and signed in 1999 with the support and input of tribal governments. FEMA has enjoyed a strong relationship with the tribes over the last seven years because of the Tribal Policy. This policy provides tribes a status of a sovereign once the declaration has been made. While, under the law, only the Governor of a State can request a Presidential disaster or emergency declaration, once that is made, we work with tribes as sovereigns providing them with choices on how they wish to proceed. Currently we have one Tribal Liaison for each FEMA Region (except for region III which has no tribes). Although these liaisons have other duties, they are the lead in working tribal requests at the regional level. In addition, tribal liaisons keep tribes informed on current issues affecting Indian Country and provide information on training opportunities.

91. The current Tribal Liaison at FEMA headquarters has no staff or budget to travel. What are your plans for ensuring that the Tribal Liaison has the resources necessary to effectively implement his duties and to fulfill FEMA's requirements under Executive Order 13175 and FEMA's Policy for government-to-government Relations with American Indian and Alaska Native Tribal Governments

The Tribal Liaison at FEMA Headquarters is located in the Office of Intergovernmental Affairs. The mission of this office is to serve as a liaison to State, Tribal and local governments on FEMA's programs, policies and initiatives. The Intergovernmental Affairs Office does have a budget with which to fund travel to attend conferences, training and meetings, including those with tribal officials. During a declared disaster or emergency, FEMA tribal representatives are deployed to disaster sites to serve as liaisons to affected tribal governments.

92. Like other governments, Native American tribes are required to prepare disaster mitigation plans. Unfortunately, due to lack of funding, technical assistance, and other reasons, many Indian tribes may not be able to complete their plans on a timely basis. What are your thoughts and ideas for assisting Indian tribes with completing their disaster mitigation plans?

We are providing technical assistance to tribes at the regional level and assisting them with unfinished mitigation plans in the areas of declared disasters. In addition, we offer training at FEMA's Emergency Management Institute that includes mitigation training and an Emergency Management for Tribal Governments course. The mitigation course allows for a vigorous exchange of information, and provides FEMA a better understanding of tribal government's issues and concerns related to mitigation planning. FEMA Regional offices have also offered training for tribal officials. Since the courses were first offered in 2002, representatives from more than 200 tribes have participated in FEMA training.

Acquisition

93. What steps do you believe FEMA should take to comply with Sec. 307 of the Stafford Act, which requires that in the expenditure of federal funds carried out by contract; preference shall be given, to the extent feasible and practicable, to those organizations, firms, and individuals residing or doing business primarily in the area affected by the disaster?

Involving local businesses as early as possible in a disaster area is an important part of the recovery process. I am committed to ensuring, to the greatest extent practicable, that we do so. It is also important that we get the work done as soon as possible as well; however, these interests are not necessarily always consistent. What we can do, and have done is require our contractors to give preference in hiring to local firms, require firm percentages of the work be carried out by local firms, and create a database of small firms in advance of disasters, particularly in disaster prone areas, that will be first in line should a disaster strike. Many of these measures we are carrying out now in advance of the 2006 hurricane season.

94. Some contractors in the Gulf have complained that FEMA, in awarding new contracts for the maintenance of trailers intended to be reserved for small and local contractors, has

awarded contracts to companies who do not fit FEMA's own criteria for eligible companies. What steps will you take to review whether FEMA's award of these contracts was proper?

As of this writing, the protest process as established by the Federal Acquisition Regulations is still ongoing, so I believe it would be improper for me to comment on those protests at this time. I can assure the Committee however that we are complying fully with the letter and spirit of the FAR, and once it is appropriate to do so, I would be happy to provide a briefing to the Committee on that process and how these issues were resolved.

95. On October 6, 2005, you pledged to this Committee that you would compete the requirements covered by four large contracts (with the Shaw Group, Fluor Corp., Bechtel, and CH2M Hill) that FEMA entered quickly and without competition shortly after Katrina's landfall. The "re-bidding" process resulted in new awards for the maintenance of trailers, but these contracts were not awarded until April, 2006. In the meantime, the \$100 million ceiling on each of the four original contracts was raised to \$500 million in late 2005, and the ceilings on two of the contracts have been raised again in 2006. It is our understanding that FEMA continues to spend money under these four contracts.
- a. In your view, is six months a reasonable time frame for "re-bidding" requirements that were not competitively bid in the first place? What prevented FEMA from completing the "re-bidding" in a shorter time frame?

Without question, this process has taken much longer than we anticipated, or desired. Unfortunately, the size and complexity of the contracts, and the required steps to fully comply with the requirements of the FAR process have prevented us from completing this solicitation sooner. We do expect to award these contracts sometime this summer, in time for the heart of the 2006 hurricane season.

- b. Why did FEMA "re-bid" only a portion of the work covered by the original four contracts (i.e., work related to trailer maintenance)?

I have never been a fan of non-competitive contracts. Soon after assuming my current position, I expressed a desire to reexamine those contracts. However, after lengthy conversations with my staff, it became evident that it would not be possible to fully compete all of the ongoing work and continue to deliver housing units in a timely fashion. It would have been a huge disservice to those in need of housing to have stopped the hauling and installing work while the bidding process moved forward. My top priority then, as it is now, was to ensure that services to those who were in need not be disrupted by this process nor slowed in any way. As a result, the decision was made to not reopen the work that was ongoing at the time and instead to focus our efforts on those portions of the IA-TAC contracts for which we would have future needs, and award those portions of the contracts on a competitive basis.

96. FEMA is in the process of awarding new National Individual Assistance - Technical Assistance Contracts that will provide certain basic services (e.g. temporary housing) in the event of a disaster. It is the Committee's understanding that these competitively awarded contracts will provide for a transition from large contractors responding with goods and services to local, small businesses responding. This transition would implement the Stafford Act requirement to use local businesses to the greatest extent practicable. While this transition appears to be a positive step, the Committee is concerned that the national contractors will have no incentive to assist in this transition since it means the end of their performance under the contracts. How will FEMA ensure that national contractors facilitate the move to local and small businesses fulfilling the requirements contained in these contracts?

These contracts are being awarded in the relative calm of a pre-disaster environment, and as such we can conduct a full and open competition for contracts that are written to meet our various goals and objectives in the post-disaster environment. Each of the new national IA-TAC contracts will include appropriate penalties to ensure compliance with all provisions of the contract.

97. It is the Committee's understanding that FEMA's procurement office is now authorized for 187 FTEs but that only around half of those slots are currently filled. Is this correct? How many of these FTE slots are permanent? What efforts will you make to fully staff the procurement office? Do you believe the current FTE authorization is adequate?

As of this writing, FEMA's Chief Procurement Office has 224 positions, which includes Permanent Full Time (PFT) and term appointments. Of those, 151 are PFT – and 27 of these 151 PFT are regional positions. FEMA is currently recruiting to fill vacant contract specialist positions and has multiple "Open Continuous" announcements posted. Positions are being posted in local newspapers and trade magazines to ensure that the candidate pool is a group of highly skilled and experienced applicants.

Hiring activities have been initiated since the beginning of the calendar year in order to provide more acquisition staff issuing and administering contracts for support of hurricane operations. These long term personnel have replaced the volunteers from other federal agencies providing a dedicated workforce for the upcoming season. Contract specialists and contract monitors have been hired and integrated into current contract management functions and are being trained in internal oversight procedures. With the additional staffing, dedicated contract positions have been allocated to the Gulf Coast region to perform contracting activities. Current authorized staffing levels are sufficient to meet the needs of FEMA.

98. During the course of the Committee's investigation of the preparation for and response to Hurricane Katrina, many were surprised to learn that FEMA did not do more contingency contracting. Even a cursory investigation into past disasters will reveal certain goods and

services that will be required in the aftermath of almost every natural disaster. Is FEMA awarding contracts now with the expectation that certain goods and services will be required in the upcoming hurricane season? Please describe.

FEMA will be ready with a variety of contingency contracts for this upcoming season. Since the last hurricane season, extensive efforts have been taken to preposition contracts for the upcoming hurricane season. For example, FEMA is pre-positioning such contracts as Individual Assistance and Public Assistance contracts, Hazard Mitigation Technical Assistance, and Housing Inspection Services for the upcoming hurricane season. Working with the Defense Logistics Agency, FEMA is pre-positioning replenishment orders for such items as emergency meals, medical supplies, pharmaceuticals, and water. Additional actions are being undertaken to identify potential vendors capable of meeting emergency response needs in the areas of generators, ice production, and portable toilets. These readily available sources and contracts will provide contingency support services for the upcoming season.

99. Should FEMA have a dedicated procurement workforce prepared to deploy to the field in the event of an emergency who can ensure that proper contracting procedures are being followed? Please explain.

In order to support FEMA's mission to lead the Nation's efforts to respond to, recover from and mitigate disasters of all types, all personnel are available to be deployed to the field in case of an emergency. The Chief of the Procurement Office has taken steps to ensure that standard operating procedures for contingency contracting are included in a web-based system readily available to contracts personnel. With the newly established contracts policy branch, performance evaluation procedures are being developed in order to provide for oversight and review of acquisition procedures.

Command and Control

100. A significant problem area during the Katrina response was the chain of command and the roles and responsibilities of the various federal officials involved in the response. The following questions are intended to help clarify your position on who is in charge during an incident.

- a. To whom will the Under Secretary for Federal Emergency Management report during major disasters like Katrina?

The Under Secretary for Federal Emergency Management will continue to report to the Secretary of Homeland Security during major disasters like Katrina. It is also expected, however, that the Under Secretary will, as required, keep the White House informed as to the nature and scope of the incident and the effectiveness of the Federal response and recovery efforts.

- b. Will the President receive direct professional disaster management advice during a major disaster or emergency (particularly one of significant consequence such as Hurricane Katrina)? If yes, by whom? What form of access do you expect to have to the President?

The President will have the advice and counsel of not only the Director of FEMA but the advice of his cabinet and staff during a major disaster, including the Secretary of Homeland Security who is briefed regularly on FEMA's activities.

- c. What do you believe should be the roles and responsibilities of the Under Secretary for Federal Emergency Management during an incident?

The roles and responsibilities of the Under Secretary for the Federal Emergency Management Agency are defined by the Stafford Act, National Response Plan and all other relevant documents and guidance prepared by DHS and the President.

- d. During Katrina, there was confusion and overlap between the Principal Federal Officer's (PFO) and the Federal Coordinating Officer's (FCO) roles and responsibilities. Will the Principle Federal Official (PFO), if designated during an incident, report to the Secretary, the Under Secretary for Federal Emergency Management, or some other official? If the PFO will not report to the Under Secretary for Federal Emergency Management, then how will the PFO's activities be coordinated with FEMA's response activities including those of the Federal Coordinating Officer (FCO)? If a PFO is designated during an incident will the PFO have directive authority over the FCO? Should the PFO have such authority? Will the PFO have directive authority over the other federal departments and agencies responding to the incident? What legal authority enables the PFO to perform these functions?

The National Response Plan establishes the concept of a Principal Federal Official (PFO). The PFO is to provide a primary point of contact for situational awareness on the ground locally, and establish the Incident Command System (ICS) and a Unified Command structure. The PFO coordinates overall Federal incident management and assistance activities ensuring that efforts are maximized through effective and efficient coordination. When designated the PFO reports to the Secretary.

When implemented in accordance with the NRP, the PFO can provide strategic guidance to Federal entities and can ensure the seamless integration of Federal activities in support of and in coordination with State, local, and tribal requirements. A PFO structure has been successfully implemented for numerous events, including the 2004 G-8 Summit, the 2004 National Democratic and Republican Conventions, the 2005 Presidential Inauguration, the 2000-2006

President's State of the Union Addresses, the 2005 State Funeral for President Reagan, and Hurricane Rita. Even so, as we found during Vice Admiral Allen's very successful tenure as PFO, a PFO's role as coordinator sometimes needs to be augmented with the authority of the Federal Coordinating Office under the Stafford Act. Our lessons learned process will address this aspect of the NRP.

In April, the Department of Homeland Security announced the unprecedented predesignation of five teams that will coordinate the federal government's role in support of state and local governments in preparing for, and responding to, major natural disasters this storm season. In total, 27 federal officials have been appointed, each with unique expertise and considerable experience.

PFOs and DPFOs serve as the Secretary's representative on the ground and primary point of contact for state and local officials within their area of authority. They are responsible for coordinating overall federal activities relevant to an Incident of National Significance and for providing situational awareness. FCOs manage and coordinate federal resource activities related to the Stafford Act.

- e. To whom will the Principal Federal Officials in waiting (as proposed by DHS) report? If they will not report to the Under Secretary for Federal Emergency Management, then how will their planning activities be adequately coordinated with FEMA's regions and other planning and response entities?

Until activated, Principal Federal Officials are engaged in their non-disaster functions within the Department.

- f. Do you envision any potential situation in which DHS/FEMA will cede (and return) operational control over a federal disaster response to DOD? If yes, under what conditions, decision making process, and legal authorities would that be done? What would be the roles of the DHS and DOD secretaries, the Under Secretary for Federal Emergency Management, and the state governors in that process?

Appendix 3 of the National Response Plan, pages 80 and 81, lists several statutes that the President (or the Attorney General) may invoke if he determines that DOD forces are needed in the United States. They include the Posse Comitatus Act which may be a restriction on the use of armed forces, the National Emergencies Act, the Insurrection Act, the Defense Against Weapons of Mass Destruction Act, Emergencies Involving Chemical or Biological Weapons, and Emergencies Involving Nuclear Materials.

- 101. Several Governors have publicly opposed any nationalization of the National Guard to respond to a disaster. What is your position?

This is not an issue that FEMA has any authority to offer an opinion on. We defer to the
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judgment of the appropriate State and Federal officials who have such authority.

Recovery

102. As FCO, Bill Carwile proposed the creation of a long term recovery office in Mississippi and the other affected states in September 2005. The Committee understands FEMA intends to create such an office, but it may be called a recovery transition office. When will the final decision be made to establish the office and who must make the decision? Does the Secretary or Deputy Secretary need to approve or make the decision?

Following the devastating hurricanes of 2004 in Florida, a Long Term Recovery Office (LTRO) was established in Orlando to help that recovery effort. Efforts are already well underway within FEMA to establish Transitional Recovery Offices (TRO) in Alabama, Mississippi, Louisiana, and Texas to coordinate and lead our recovery and mitigation efforts in the Gulf Coast. As the Acting Director, I made the decision to establish TROs and use these organizations as the basis for how we move forward with our Gulf Coast Recovery efforts. Functionally there is no difference between an LTRO and a TRO.

103. We understand FEMA still has an office open to handle claims from the Northridge, CA earthquake, more than 10 years after the event.

- a. What other FEMA offices are open and handling claims from events that occurred more than five years ago? What are the reasons for keeping these offices open?

Other than the Northridge office, FEMA is using space provided by the State of New York at practically no charge (\$1.00 per year), to work on the close out of several open disasters in Region II, including the Declaration resulting from the terrorist attacks of September 11th. The staff in this office has been addressing several Hazard Mitigation Grants from various disasters. Additionally, this staff has been available to support other disaster declarations in the area.

- b. What plans, if any, do you have to quickly resolve and close these outstanding claims or at least have them handled out of a regional office instead of a separate office?

FEMA's Region II office is currently located in Government-owned space in New York City. Utilizing the additional space in Albany has proven to be a cost-effective way to manage the open Public Assistance grants, of which 344 are large projects, by reducing travel time and expenses for FEMA staff. Additionally, this space allows us to maintain a close working relationship with our state partners, state emergency office, as well as the state regulatory agencies that provide the permits for these projects.

In regards to the Northridge Office: the 1994 Northridge Earthquake, has been an unprecedented and unique operation for FEMA, due to both the complexities that are

characteristic of an earthquake disaster and the large size of the event. Until Hurricane Katrina, the Northridge earthquake was the largest natural disaster FEMA managed. Unlike most disasters which involve financial assistance for debris removal and emergency work, the Northridge disaster has mainly provided funding for the repair and replacement of damaged buildings. As a result, a large spectrum of atypical issues in each of the areas of damage assessment, scope of work development and construction have developed that can most effectively be addressed by an office dedicated to managing complex issues exclusive to this disaster.

Due to its location and availability of qualified staff, the Northridge office has also served on several occasions as a joint field office, or multi-agency operating facility for a number of disasters to include floods, wildfires and earthquakes since 1994. In this capacity the facility has played a significant and critical role in the overall response capabilities and readiness posture of Region IX and the citizens of California.

104. What personnel are responsible for FEMA appeals of individual assistance claims? How many appeals have been decided and how many are pending? How many have been granted and denied? What procedures are followed in an appeal, e.g. are the appellants interviewed, what documents are considered, does the appellant have any chance to argue their case other than to submit an appeal and the reasons for it? Who may represent persons who have taken appeals? When decisions are rendered are there written reasons given for the decision? Is there any opportunity to ask for reconsideration of that decision? Does FEMA plan to make any clarifications or changes in policies depending on what information the appeal process reveals? Are applicants eligible for legal assistance from FEMA when filing an appeal? If so, how does FEMA communicate this information to an applicant?
- What personnel are responsible for FEMA appeals of individual assistance claims? There are processing staff in each of FEMA's 4 National Processing Service Centers that are trained to process appeals.
 - How many appeals have been decided and how many are pending? 149,794 decided; 2223 pending (All stats represent Katrina and Rita declarations). Each was manually determined by a FEMA caseworker.
 - How many have been granted and denied? 21,092 approved; 128,702 denied
Examples the denials are higher: applicants may have had insurance; may have reached the maximum individual program allowance- for repairs the amount is \$5100; total program limit is 26,200.
 - What procedures are followed in an appeal, e.g. are the appellants interviewed, what documents are considered, does the appellant have any chance to argue their case other than to submit an appeal and the reason for it? The applicant's appeal letter and attached documentation are reviewed as well as the NEMIS case file. Occasionally the applicant is

called if additional information is needed. We do not have an avenue for a court-like arena however the applicant can always call the helpline to explain their situation in addition to providing additional material. FEMA would want to help provide any assistance for which the applicant is eligible and tries to gather all information in order to do so.

- Who may represent persons who have taken appeals? Applicants may authorize other individuals to represent them during appeals.
 - When decisions are rendered are their written reasons given for the decision? Yes and the applicant also has the opportunity to call FEMA's Helpline and ask an Operator to explain any decision in detail the applicant needs to have explained further.
 - Is there any opportunity to ask for reconsideration of that decision? While there is no formal process to appeal an appeal decision, FEMA will routinely do this. Again, FEMA wants to provide any assistance for which the applicant is eligible. Our position is that an applicant is ELIGIBLE unless there is a reason to determine otherwise and so we want to make sure we do not miss any opportunity to provide assistance where needed.
 - Does FEMA plan to make any clarifications or changes in policies depending on what information the appeal process reveals? FEMA always reviews trends and issues raised by applicants in order to improve and streamline the process. Reports are developed and reviewed daily by management to identify problem areas in FEMA's programs. However while we would always be willing to clarify any policy decision made on an individual case, it would not be equitable to change a policy for one applicant as there may be other applicants in same situation. When a policy or procedure changes mid-disaster, reports are run to provide any assistance possibly missed by the previous policy as a supplement.
 - Are applicants eligible for legal assistance from FEMA when filing an appeal? We would hope that the appeal process, really more of a reconsideration of the case, could be addressed without the need for applicants to have formal representation. Some applicants have elected to obtain counsel and if the applicant has provided a Release of Information allowing us to speak with their representative, we always cooperate fully in answering any questions they may have. FEMA does not provide financial assistance to applicants for disaster legal services.
 - If so, how does FEMA communicate this information to an applicant? Because we do not provide financial assistance for legal issues, we do not provide communication regarding legal options.
105. What steps are being made at FEMA headquarters to ensure that application of FEMA policy is consistent, e.g. the shared household rule?

The majority of FEMA assistance is processed through our automated applicant

assistance system, which applies the same business rules to ensure consistency of policy applications. However, for these cases that must be processed manually, FEMA caseworkers receive ongoing training and are updated daily if there are changes made to policy through Disaster Specific guidance.

Family Reunification

106. During the immediate aftermath of Hurricane Katrina, thousands of families were separated either as a result of the chaos brought on by the flood waters or the confusion that ensued as part of the evacuation. In the months that followed, thousands of separated families struggled to find assistance in locating missing relatives due to the absence of any formal mechanism to assist with the reunification of missing children and adults after a natural disaster or terrorist attack. According to Emergency Support Function #6 of the National Response Plan, FEMA is designated as one of the primary agencies responsible for assisting reunite family members separated by a disaster. FEMA however, initially did not fully cooperate with the National Center for Missing and Exploited Children (NCMEC) and the National Center for Missing Adults (NCMA) to help reunite families, citing privacy concerns (which could in fact be addressed).

- a. What has FEMA done to prevent future cases of separated family members from occurring during future disasters?

In disasters involving mass evacuations and a large degree of displacement, it would be unrealistic to assume that separation of some families could be completely eliminated. The key is to ensure that processes can be put in place to ensure timely re-unification. Toward that goal, FEMA has been very proactive in addressing this concern in future disasters in several ways. First, FEMA has drafted and proposed changes to the routine uses of our Privacy Act system of records that will permit the sharing of disaster applicants' current contact information for both the purposes of reuniting families and locating missing children. In addition, FEMA has proposed to enter into a Memorandum of Agreement (MOA) with the Department of Justice (DOJ), Federal Bureau of Investigation's (FBI's), Crimes Against Children Unit (CACU) whose mission is to investigate crimes against children. We are also currently working with the American Red Cross to explore the possibility of a Family Register, in which separated family members may voluntarily submit their personal information for the purpose of locating their displaced family members.

- b. Has FEMA developed standards or forms for states to use in evacuation efforts to prevent families from being separated, and to aid in reunifying families in the event they become separated from one another?

FEMA does not dictate to states how to conduct those activities that generally are state-administered. FEMA provides advice and technical guidance to facilitate the overall objective.

c. Will FEMA work with law enforcement and non government agencies to help find missing adults and children, and reunite families, following future disasters?

Yes, FEMA is currently working with law enforcement agencies and reaching out to non-government agencies, such as NCMEC, to help find missing adults and children, and to reunite families in future disasters through the measures already described above. In addition, FEMA is also improving our "law enforcement" routine use in our "Disaster Recovery Assistance Files" system of records to further clarify how we can share such information with Federal, State and local law enforcement agencies for legitimate law enforcement purposes.

d. Will FEMA's interpretation and implementation of the Privacy Act continue to prevent the sharing of information from its Disaster Recovery Assistance Files with law enforcement and other appropriate agencies about missing persons?

FEMA has and continues to share information from its "Disaster Recovery Assistance Files" system of records for requests that meet the legal requirements of the Privacy Act of 1974. As explained above, modifications to existing routine uses will further enhance FEMA's ability to share Privacy Act protected information for both law enforcement and reunification purposes.

e. Will FEMA include in its disaster planning and training an entity to be responsible for receiving missing person's reports and locating these missing persons?

FEMA will work with the appropriate agencies and organizations to determine how to best address this issue, and to define responsibilities.

f. Will FEMA continue to staff this entity through Volunteer Coordinators? Will workers be required to be experienced in the task, or will they be trained on site after the disaster?

FEMA staffing for any initiative is dependent on the size of the event and the amount of resources available to FEMA. In extraordinarily large events, it is quite likely that FEMA will have to use surge-staffing to meet the necessary requirements for certain functions.

g. What steps have been taken since Katrina to ensure that MOUs and guidelines regarding the respective roles of FEMA and other appropriate agencies such as NCMEC in Emergency Declarations are known to FEMA's Office of Legal Counsel, Operational Management Organizations and field entities, in order to facilitate effective, efficient and consistent communications and operation?

FEMA has taken an active role in disseminating changes in existing routine uses described above with all FEMA Offices who have a role in carrying out the Stafford Act.

In addition, protocols and processes are being put in place to carry out FEMA's obligations under these MOUs.

h. What has been done to secure direct, read only access to the FEMA Disaster Recovery Assistance Files for the FBI agent detailed to work at NCMEC?

FEMA has already submitted a draft MOA to the FBI/CACU, whom we understand works very closely with NCMEC, for the purpose of locating missing children. FEMA is awaiting response and concurrence on this MOA from the FBI.

In addition, we have already addressed how to make "secure, direct, read-only access" available in our "Disaster Recovery Assistance Files" system to authorized parties.

i. Has FEMA developed protocols for using a centralized data system or registry so that persons reported as missing during disasters can be more easily located and reunited with family members?

FEMA is currently developing such protocols for the purpose of reuniting families and locating missing children.

j. Has FEMA developed data sharing arrangements that address privacy concerns so that FEMA can help in locating separated family members and missing persons through its IHP database?

Yes, FEMA is already developing data-sharing arrangements that address privacy concerns so that FEMA can reach out for the purposes of reuniting families through various means as already described in 104-a,b,c,d,g,h and i.

Animal rescue

107. During Hurricane Katrina, thousands of people were forced to leave their pets and service animals behind because there were no evacuation plans for animals and no shelters available that accepted pets. A recent survey found that 44 percent of those that did not evacuate were staying in harm's way in part to remain with their pets, putting human and animal lives at risk.

a. What do you feel were the FEMA-specific lessons learned from Hurricane Katrina as they relate to animals (not limited to pets)?

FEMA has learned the importance of the human-animal bond to the citizens of this Nation and the need to ensure that care for animals is included in evacuation and shelter planning for future disasters. Not only were the strength of companion animal relationships demonstrated but also the strength seen in the individuals who remained to

attend and/or participated in rescue and care efforts of zoo animals, primates and other animals at local research facilities, dolphins along the Gulf Coast, etc.

The NDMS Veterinary Program was a major player and single handedly provided medical care and aid to almost 20,000 animals both rescued and evacuated by response partners in Hurricanes Katrina and Rita. It was clear however that initiatives must be undertaken to ensure animals which are safely, comfortably and appropriately contained, be allowed to co-evacuate with their owners. FEMA will work with the Preparedness Directorate, other Federal agencies, State and local officials, and private sector humane organizations to ensure the needs of animals are addressed in preparedness efforts.

- b. What changes do you think FEMA should make to ensure adequate consideration is given to planning, evacuation, and rescue of animals during disasters?

As noted above, the most important change needed is to ensure that local, State and Federal response and recovery planning in anticipation of future disasters must incorporate consideration of the care of animals, whether pets or companion animals. FEMA will work with its Federal, State, local and private sector partners to ensure that the needs of animals are included in disaster planning efforts at all levels, with special emphasis on ensuring adequate evacuation and sheltering planning and facilities. We are currently developing guidance for both State and local officials and the general public to help them prepare disaster supply kits and develop emergency preparedness plans that include a community's animals.

- c. Do you think FEMA should play a role in the planning, evacuation, and rescue of animals during disasters (in cooperation with state and local authorities)?

Like most disaster response and recovery efforts, the lead responsibility for planning for and implementing evacuation and shelter activities lies with State and local officials. FEMA will continue to play a role in working with its Federal, State, local and private sector partners to help them address the needs of animals in their disaster planning efforts, but much of this effort will take place as part of preparedness activities. FEMA will also expand availability of its training modules, Animals in Disaster, to ensure these issues have greater awareness. FEMA's search and rescue assets will also consider the needs of animals in their planning efforts, as should other Federal, State and local search and rescue entities that will be involved.

- d. Should state and local disaster plans include provisions for animals in order to ensure that evacuations are effective? If so, what would you propose as the best mechanism for ensuring speedy implementation?

Yes, State and local disaster plans should include provisions for animal evacuation and sheltering needs since it is clear concern for their animals is a major factor in individuals' evacuation and sheltering decisions. The best mechanism for ensuring speedy

implementation is for those of us at the Federal level that fund and/or otherwise support State and local disaster evacuation and shelter planning to promote the inclusion of animal care in those plans. FEMA supports such planning through its Animals in Disaster training modules and the additional guidance related to the inclusion of animals in emergency preparedness planning we currently have under development.

108. If confirmed, will you support efforts by FEMA to provide:

- a. Assistance to states and local authorities to develop plans that take into account the need of animals in the event of a major disaster?
- b. Financial assistance to states to help them construct shelters to accommodate animals and people?
- c. Essential assistance (i.e. rescue, care, shelter) to individuals with animals and the animals themselves, or contributions to State and local governments, and/or non profit facilities that are able to do so?

Yes. Reasonable costs for sheltering pets brought with their owners to shelters are eligible. The requests for reimbursement must be submitted by state and local governments. Furthermore, vaccination of pets is eligible when the receiving state requires a vaccination for animals coming into the state for health and safety reasons. No additional treatment is eligible.

We will provide assistance in the form of guidance documents, now under development, for both citizens and State and local emergency managers to enable them to prepare disaster supply kits and develop emergency preparedness plans that include a community's animals, respectively. Regarding financial assistance, that can be provided in the form of emergency management performance grants but which are awarded to animal welfare groups such as the Humane Society of the US (HSUS), United Animal Nations/Emergency Animal Response Society (UAN/EARS), and the American Humane Association (AHA). These groups are more qualified to operate emergency animal shelters than either the Red Cross or the Salvation Army. People can be instructed about obtaining and assembling pet disaster supply kits for themselves and their pets.

109. Will you make sure that consideration of animals is included in all FEMA literature and web site materials which advise people, responders, and governments how to prepare for, and respond to, a major disaster?

We will provide assistance in the form of guidance documents, now under development, for both citizens and State and local emergency managers to enable them to prepare disaster supply kits and develop emergency preparedness plans that include a community's animals, respectively.

Emergency Management Assistance Compact Reimbursement

110. At an April 20, 2006 field hearing in Rhode Island, the Committee received testimony from a local fire chief who, more than 6 months after Katrina, still had not been reimbursed for expenditures incurred in responding to that disaster. Undue delays create disincentive to states and local governments to provide assistance under EMAC.

a. Is reimbursement for assistance provided under EMAC too slow?

The expenses States incur while providing assistance to other affected States through EMAC are generally reimbursed quickly. However, because of the challenges of reimbursing the 44 States who provided resources to aid in the response and recovery effort, this process may have been somewhat delayed.

b. If so, what will you do to streamline the reimbursement process?

FEMA is working with States to streamline this process and ensure timely reimbursement

National Flood Insurance Program

111. The unprecedented magnitude and severity of flood losses resulting from hurricanes in 2005 illustrated the extent to which the federal government has exposure for flood claims coverage in catastrophic loss years. FEMA estimates that Hurricanes Katrina, Rita, and Wilma are likely to generate claims and associated payments of about \$23 billion – far surpassing the total of about \$15 billion in claims paid in the entire history of the NFIP up to those events. How well do you think FEMA implemented the program in light of the unprecedented number of flood insurance claims?

Extremely well. Following Hurricanes Katrina, Rita, and Wilma, we took care of Gulf Coast policyholders while maintaining the day-to-day operations of the NFIP. Without question the NFIP was challenged. The 2005 hurricane season presented the NFIP with challenges it had not experienced. However, FEMA worked closely with the Write-Your-Own partners to implement innovative changes and adjustments to better serve the Gulf Coast policyholders when they needed it most, including:

- Waiving the proof of loss requirement so property owners could submit claims and receive payment faster.
- Providing advance payment on contents coverage. Allowing property owners to receive a portion of their claim prior to the inspection.
- Pre-identifying claims categories, resulting in an expedited adjustment process.

- Utilizing aerial mapping and other data to identify areas of total loss, allowing insurance companies to fast track payments up to the maximum insured value.
 - Streamlining procedures to reduce claims processing time from 60 days to 30.
112. On Wednesday, March 15, 2006, Comptroller General David Walker testified on the insolvency of the National Flood Insurance Program, noting that the GAO had designated the program as a high risk to the federal government and the American public. GAO's high risk list provides a means of highlighting and helping to resolve serious weaknesses in areas that involve substantial resources and provide critical services to the public. The Comptroller General testified that it is highly unlikely that the NFIP will generate sufficient revenues to repay funds borrowed from the Treasury to cover claims for the unprecedented magnitude and severity of flood losses resulting from hurricanes in 2005, as well as any exposure for future claims coverage in catastrophic loss years. What steps would you take in the short-term and in the long-term to make the program more financially stable? What, if any, other steps do you think need to be taken?

I want to emphasize that there is no easy solution that will enable the NFIP to absorb catastrophic loss as we have just experienced. The NFIP was established over 37 years ago to reverse the trend of rising costs to communities, States and our Nation from flood disasters. The NFIP makes flood insurance available and affordable for the American public, helping people to recover from floods.

Before NFIP, community management of flood risk was not an established practice in our country. The NFIP provides a comprehensive system of flood hazard management through identification, reduction, and insurance.

While the NFIP has had a tremendous impact in reducing the cost of flooding to the American public by encouraging safer construction and reducing disaster relief spending, there are problems in the program that we must address.

IV. Relations with Congress

113. Do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?
- Yes.
114. Do you agree without reservation to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?
- Yes.
115. Because of the critical nature of DHS's mission, Congressional oversight will be

considerable and an important means of reporting on the department's performance. GAO, responding to Congressional requests, has increasingly experienced difficulty in gaining access to officials and records to support Congressional oversight responsibilities. A productive working relationship is needed between FEMA, Congress, and Congress' investigative agency – the GAO – so that Congress can effectively carry out its oversight responsibilities. What approach would you take to ensure that Congress and the GAO have timely and accurate access to FEMA's records and other information and to FEMA officials as necessary for Congress to fulfill its oversight responsibilities?

FEMA has tried to cooperate with GAO by providing access to information and personnel, as well as accurate and timely responses to GAO requests for information. We believe that their insight to our programs and processes will only serve as a tool to help us improve our service to individuals affected by disasters, and our accountability to the American taxpayers. I am fully committed to ensuring that FEMA continues to work in partnership with GAO.

V. Assistance

116. Are these answers your own? Have you consulted with the Department of Homeland Security, Federal Emergency Management Agency, or any interested parties? If so, please indicate which entities.

I consulted with FEMA officials and subject matter experts in the development of the responses to these questions so that I may be able to provide to the Committee the most accurate and complete responses.

AFFIDAVIT

I, RePaulina, being duly sworn, hereby state that I have read and signed the foregoing Statement on Pre-hearing Questions and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

RePaulina

Subscribed and sworn before me this 19 day of May, 2006.

J. Clements
Notary Public

JUDITH CLEMENTS
Notary Public of District of Columbia
My Commission Expires on October 14, 2008



United States
Office of Government Ethics
1201 New York Avenue, NW, Suite 500
Washington, DC 20005-3917

April 19, 2006

The Honorable Susan Collins
Chair
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510-6250

Dear Madam Chair:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Robert David Paulison, who has been nominated by President Bush for the position of Director, Federal Emergency Management Agency, Department of Homeland Security.

We have reviewed the report and have also obtained advice from the Department of Homeland Security concerning any possible conflict in light of its functions and the nominee's proposed duties.

Based thereon, we believe that Mr. Paulison is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marilyn L. Glynn".

Marilyn L. Glynn
Acting Director

Enclosure

**Post-Hearing Questions Submitted by
 Senator Joseph I. Lieberman
 For the Nomination of R. David Paulison to be
 Under Secretary for Federal Emergency Management,
 Department of Homeland Security
 May 24, 2006**

1. FEMA recently began to send 30-day eviction letters to Katrina evacuees who are living in government-issued trailers. Many of these evacuees report being under the impression that once a trailer was provided to them it was available for up to 18 months as part FEMA's transitional housing program. My office has obtained a copy of one of the eviction letters FEMA is sending evacuees. In that letter FEMA notes that the trailer was provided to the evacuee as part of FEMA's emergency sheltering program that ended in March and not the transitional housing program. Not surprisingly, evacuees are reporting to housing advocates and the media that they are frustrated and confused over what appears to be a change in FEMA policy.
 - a. What is FEMA's current policy regarding the issuance of trailers to Katrina evacuees? When was this policy created? What other policies or guidelines has FEMA used since August 2005 regarding the issuance of trailers to Katrina evacuees? Please provide to the Committee a copy of all of FEMA's policies in effect from August 2005 to the present regarding the issuance of trailers.

Following hurricane Katrina travel trailers were initially provided in Louisiana and Mississippi as emergency *sheltering authorized* under Section 403 of the Stafford Act. This provision of assistance is substantially different than temporary housing provided under FEMA's Individuals and Household Program (IHP), which is a program authorized under Section 408 of the same act. The Section 403 program is designed to provide immediate, safe shelter to those in need and does not have the same program eligibility requirements as Section 408. Given the acute lack of housing and congregate shelter resources, utilizing travel trailers was one of the most expedient ways to shelter individuals quickly under Section 403. FEMA, State and local officials determined the locations and prioritized placement of individuals/households into these units.

FEMA's direct housing program under Section 408, by contrast, is designed to provide temporary housing to eligible applicants whose homes have been rendered uninhabitable as a result of the disaster until they can repair their home or find an alternative, permanent housing solution. Assistance may be provided up to 18 months following the date of the declaration of the major disaster.

- b. Were individuals who were provided trailers informed that the trailer was provided to them on an emergency basis only and that their ability to remain in the trailer was contingent on being granted transitional housing assistance?

Each individual provided with a trailer signed an “Emergency Shelter – Agreement to Rules of Occupancy” document before occupying the unit. The first paragraph of this form states as follows regarding their continued occupancy:

“I acknowledge and understand that FEMA is providing this unit as a temporary shelter because the President declared a major disaster or emergency in the area and I am not able to live in my residence due to this event. I understand this is a temporary shelter and that I may be required to move if any of the following occur: when housing options become available; if FEMA determines I am ineligible for this shelter unit; or when FEMA discontinues shelter operations.”

- c. Due to the confusion about this policy, do you intend to make a formal public announcement on this matter?

Our current strategy is to work with each family to make sure they understand how FEMA provides assistance, what was the basis for the assistance given or denied, and, going forward, what options are available, as they effect their recovery from Hurricane Katrina and Rita. The agency does not intend to make a specific formal public announcement at this time.

- d. If evacuees decide to appeal their eviction, will FEMA allow evacuees to remain in the trailers until a decision on their appeal is final?

Please note that the letters sent to the individuals were not “eviction” notices. Instead, they were notices to terminate the Section 403 emergency sheltering agreements. Any new or additional supporting Section 408 documentation received from individuals would prompt a review of the case for potential conversion to longer term Section 408 temporary housing. FEMA implemented outreach efforts to assist the individuals who received the letters to help establish their Section 408 eligibility or to provide referral to other agencies for possible assistance.

If the applicant disagrees with the Section 408 temporary housing assistance reason for denial they may appeal that decision within (60) days of the date of the termination notice. FEMA will only provide emergency shelter for the thirty (30) day time period from the date of the termination notice.

To date, there have been extremely few evictions set in motion, and all have been for cause, such as illegal activity on the premises.

- e. Is FEMA providing individual housing counseling to evacuees that face eviction to ensure that they are not left without shelter?

FEMA has, from the beginning, worked with numerous partners in addressing both short

and long-term housing needs for the victims of these disasters. FEMA, HUD, voluntary agencies (VOLAGS), State and Local government agencies have worked hard to make available comprehensive information on housing options and resources to each victim. FEMA also contracted with the United Methodist Committee on Relief (UMCOR) to lead a consortium of social service and voluntary organizations that assists disaster victims in navigating and obtaining various resources available to them. FEMA staff in Louisiana and Mississippi are continuing there efforts to reach out to individuals to provide assistance to individuals to establish eligibility under Section 408.

2. Can you provide statistical information on the number of persons who were initially found eligible for housing assistance and those who have subsequently sought recertification? How many applied for recertification, how many were denied and what were the reasons for denial? How does an applicant for recertification show they have a plan for permanent housing? What information does FEMA have that would explain the high numbers of persons who have not sought recertification?

- a. Can you provide statistical information on the number of persons who were initially found eligible for housing assistance and those who have subsequently sought recertification?

A total of 717,260 applicants received their initial rental payments. Of these, 174,262 have received their first recertification payment.

- b. How many applied for recertification, how many were denied, and what were the reasons for denial?

To date, 57,650 applicants have been denied recertification. Denials are varied and include reasons such as insurance settlements have met their need, assistance has been provided by another Federal agency, or no further assistance is needed.

- c. How does an applicant for recertification show they have a plan for permanent housing?

FEMA has initiated several successful efforts to inform applicants of the intended purpose of the assistance provided, and the criteria required to receive continuing assistance. A "Declaration of Housing Plan and Request for Continued Rental Assistance" document was created to assist applicants with the compilation of recertification documents necessary for processing.

- d. What information does FEMA have that would explain the high numbers of persons who have not sought recertification?

A formal script was written specifically for the recertification outreach project. Some applicants had been approved for FEMA travel trailers or mobile homes and they had no further need for an apartment. Other applicants had returned to their pre-disaster homes or relocated to live with relatives. Those applicants who expressed an interest in recertification were provided all information needed to move forward

At the direction of the Federal Court FEMA also mailed a letter explaining the recertification process to every applicant who received rental assistance.

A two-year analysis of recertification data was conducted using previous recovery operations figures. The historical studies revealed an average of 1% of eligible rental recipients submitted requests for continued rental assistance.

3. On January 31 of this year, USA Today reported that FEMA was initiating a pilot program in New Orleans, in which it was working with private landlords to help them to repair moderately damaged apartments so that they could be made available to displaced families. This pilot was apparently initiated by FEMA in part because its traditional forms of temporary assistance -- rental assistance and trailers -- were failing to meet housing needs in New Orleans.

More generally, where there has been a severe loss of rental housing stock, it would seem to make sense to assist owners in repairing existing apartments to make them available to displaced families, so long as those repairs can be performed quickly and in a cost-effective manner. In fact, Recommendation #72 of the White House's "Lessons Learned" report appears to endorse such a strategy.

- a. Did FEMA ever pursue a pilot program as described in the USA Today article?

The USA Today article discussed did not indicate that FEMA was funding landlord repairs to damaged apartments, as one element of an evolving housing strategy to meet the overwhelming needs caused by Katrina. FEMA worked aggressively to place evacuees in repaired rental units, but never provided financial assistance for the repair of the units themselves. Nonetheless, FEMA did work with landlords and encouraged them to make repairs to their properties by indicating that occupancy for up to eighteen months could be funded by FEMA, giving owners an incentive to seek financing to make necessary repairs.

- b. Has FEMA evaluated the feasibility of assisting owners in performing moderate rehabilitation of existing rental housing in order to provide temporary housing for displaced families?

The agency has no statutory authority to provide such assistance.

- c. If, in your view, the Stafford Act would prohibit FEMA from pursuing this option, why have you not sought authority from Congress to pursue it? Do you believe Congress should provide FEMA with that authority?

The scope and magnitude of the Katrina and Rita hurricanes presented the Agency with many unique challenges. FEMA will continue to work with The Department to review Stafford Act Authorities.

FEMA is working on a legislative agenda that would evaluate existing authority under the Stafford Act, and , if necessary, propose changes to strengthen FEMA's disaster relief program.

4. How many families are receiving rental assistance or trailers under the Section 403 Emergency Shelter Program? What percentage of these has FEMA determined are ineligible for the Section 408 Individual Assistance Program?

Families do not receive financial rental assistance under Section 403 of the Stafford Act, Emergency Sheltering. Section 403 rental assistance was provided in the form of grants to state and local governments to secure housing for individuals and families. Rental assistance under Section 403 is closing and states have been notified to provide such notice to evacuees.

As applicants provide new information and efforts continue to verify and establish eligibility, numbers remain very fluid. However, early ineligibility rates ran at approximately 15 percent for those applicants that were initially housed under section 403.

5. What are the four most frequent reasons for denials of the Section 408 Individual Assistance Program assistance to those who were receiving the Section 403 Emergency Shelter Program?

The four most frequent reasons for denials of Section 408 are failure to provide documentation proving primary residence occupancy, insufficient damage to dwelling, insurance coverage, and incomplete or insufficient information to support their application.

6. Media reports indicate that many families have been denied assistance on the grounds that their previous residence is now habitable. How is this rule applied? Does FEMA take into consideration whether the previous residence is still available to applicant (e.g., while habitable, the landlord may have rented the property to another family)? Does FEMA take into account the status of the neighborhood (e.g., are utilities and other public services available, such as schools)?

FEMA has issued disaster specific guidance to expressly address eligibility for renters

whose pre-disaster residence may no longer be available to them.

FEMA relies upon the local and state authorities to make the determination of the suitability of a neighborhood to be occupied.

7. How does FEMA apply the "shared household" rule in determining eligibility?

On September 19, 2005 FEMA issued Disaster Specific Guidance which stated that temporary housing assistance for more than one residence could be provided to a single household whose members were displaced and living in different geographical locations. Call-outs were made to separated households to ensure appropriate eligibility decisions were made.

8. Has FEMA discontinued all Disaster Recovery Centers? If not, how many remain and where are they located?

As of June 21, 2006, nine DRCs remained open in the gulf coast states:

- Louisiana: 7
- Mississippi: 2

9. There have been reports that even when applicants are on the phone and give consent for the third person to represent them, FEMA representatives refuse to talk to the third persons. What is the official FEMA policy concerning calls from third persons on behalf of applicants for assistance?

Case-specific information may be released to a non-Applicant if the applicant is present and after the Applicant verifies applicant name, social security number, last 4 digits, current and damaged property address, and current phone number. We are willing to work with third parties assuming proper authorizations are secured.

10. Some senior FEMA leaders that we interviewed during this Committee's investigation of Katrina told us that FEMA was not "designed" to respond to a catastrophic event. Our committee's report concluded that "FEMA was unprepared – and never has been prepared – for a catastrophic event the scale of Hurricane Katrina." In your opinion, has FEMA ever had the capability to respond to a catastrophic disaster? Is FEMA designed to be able to respond to a catastrophe? Does it have the ability now to respond to a catastrophe?

The National Response Plan – the operational architecture through which FEMA coordinates federal support to disasters – is scalable, and technically "designed" for disasters of any magnitude. However, while it is not designed to address every potential situation that FEMA could face in a disaster environment, it is designed to provide a structure for responding to virtually any situation, regardless of size or complexity. Hurricane Katrina produced situations and demands for which no explicit strategies

existed, and which severely tested FEMA's -- and our federal partner's - capabilities. FEMA's response to Hurricane Katrina far outstripped, in terms of timeliness and volume of resources provided, any previous response effort. Nevertheless, FEMA acknowledges that, despite record-setting responses in logistics, registrations, inspections, sheltering, housing, and other areas, there is much room for improvement. Accordingly, FEMA/DHS is aggressively pursuing effective catastrophic disaster planning and preparedness to ensure more coordinated responses to future disasters by all levels of government and the private sector. As a result of intensive collaborative analyses of response and recovery programs post-Katrina, as well as actions taken to address recommendations made in the White House report *The Federal Response to Hurricane Katrina: Lessons Learned*, DHS Inspector General's Report, Congressional Reports, and other reports, FEMA has taken steps to retool its capabilities and is implementing multiple new and improved measures in the areas of logistics, emergency communications, situational awareness, housing, and victim management designed to strengthen essential functions so we can more effectively respond to all disasters. Because of the multitude of changes we and our partners in disaster response have implemented, we believe the Nation is, today, much better prepared to deal with a catastrophic disaster.

11. In the wake of Hurricane Katrina, much attention has rightfully been directed towards the Gulf Coast's preparedness for the coming Hurricane Season. Indeed, the stakes could hardly be higher with recent forecasts projecting as many as 16 named storms with 8 to 10 assuming hurricane strength. Yet, the Southeast and Gulf Coast are not the only regions at risk -- some prominent researchers from Pennsylvania State University have suggested that the Atlantic Coast may very well be a "hot zone" for hurricane activity.

What preparation is FEMA doing to ensure the Northeast region -- a region that is even more heavily populated than Mississippi and Louisiana -- is prepared for a hurricane? Are commodities and other supplies being stationed in the Northeast region? Is the Northeast region prepared?

FEMA is preparing for the 2006 Hurricane Season, taking into consideration the needs of all of the nation's coastal areas, including the Northeast. We are preparing for this Season with a renewed sense of commitment and urgency, building on 27 years of disaster response experience and coordination, a solid foundation of skilled professionals, and the lessons learned from last year's unprecedented experiences. We are aggressively leaning forward and ready to respond to any hurricanes. We are confident in our people, our experience and the improvements we made immediately in 2005 and since in preparing for 2006. Innovative and effective techniques and technologies employed in the response to Hurricanes Rita and Wilma have been institutionalized.

Several key initiatives underway will be in place and improve FEMA's capabilities for the 2006 Hurricane Season. As a result of intensive collaborative analyses of response and recovery programs post-Katrina, as well as actions taken to address recommendations

made in the White House report *The Federal Response to Hurricane Katrina: Lessons Learned*, DHS Inspector General's Report, Congressional Reports, and other reports, FEMA has taken steps to retool its capabilities and is implementing multiple new and improved measures in the areas of logistics, emergency communications, situational awareness, housing, and victim management designed to strengthen essential functions so we can more effectively respond to all disasters. These improvements include building a 21st century disaster supply tracking system; establishing advanced contracts and vendor lists for commodities for greater surge capability; ensuring replenishment of our disaster supplies; implementing a strategic commodity pre-positioning plan; taking measures to ensure a better operational picture and situational awareness from the field; coordinating and planning more closely with DOD; signing an agreement with the Defense Logistics Agency for improved logistics support; upgrading the National Response Coordination Center (NRCC); improving the coordination between the NRCC and the National Operations Center (NOC); enhancing communications capabilities and interoperability; taking measures to improve management and deployment of the disaster workforce; enhancing our ability to receive requests for individual assistance; expediting the pace of debris removal; and developing a smarter plan for long-term housing.

FEMA maintains Logistics Centers (warehouses) that are strategically located throughout the country to support FEMA's all hazards mission – both in and outside the continental United States. These Logistics Centers store both life-saving and life-sustaining commodities and supplies. FEMA also uses commercial storage space to store additional life-sustaining commodities such as ice, water and emergency meals. Additionally, FEMA has staged "Pre-Positioned Disaster Supplies" (PPDS) containers with life-saving and life-sustaining disaster equipment and supplies, primarily in hurricane-prone States, to substantially reduce the response time from incident to delivery of initial critical assets.

In preparing for the 2006 Hurricane Season, FEMA has coordinated with the hurricane-prone states from the Northeast to the Gulf Coast to develop and finalize pre-positioning of disaster commodities. Requirements were determined through Regional discussions with the hurricane-prone states and in consideration of U.S. Army Corps of Engineers disaster response models and historical data on all hazards responses. The Northeastern States have been included in the development of the overall strategic pre-positioning plans for commodities.

12. The rental payments provided to individuals receiving financial assistance, which may come in the form of rental payments to landlords, are counted against the IHP financial assistance cap of \$26,200. However, individuals who receive direct assistance may receive other needs assistance up to \$26,200, yet their monthly rent paid directly by FEMA does not count against that cap. How does FEMA justify subjecting families who receive financial assistance to the cap, while those who get direct assistance still receive up to \$26,200 while getting their rent paid for free? What possibilities exist to remedy this inequity?

There is no inequity in the program as individuals and families who remain eligible for housing and reach the financial cap of IHP are transitioned to Direct Assistance for the remainder of the 18 month period of assistance (or until they are no longer eligible). Applicants eligible for "other needs" assistance would receive the assistance before the cumulative deductions of the direct-financial payment reaches the program cap.

13. In your pre-hearing written response to the Committee's questions regarding 3,000 mobile homes that are being relocated from storage in Hope Arkansas, you indicated that the cost of moving the 3,000 units approximately 1,000 miles will be approximately \$18 million. You also indicated that the additional cost of continuing to store these 3000 units in Hope, Arkansas would be negligible since other units are being stored there and because costs are fixed.

- a. Where will these units be moved, and how did you decide on the new location(s)?

A key part of FEMA's readiness profile has been a decentralized network of emergency housing sites (EHS) where a minimal pre-event housing inventory can be maintained. This network includes sites in Arkansas, Missouri, Virginia, Maryland and New Jersey. The emergency housing sites in Edison, NJ, Cumberland, MD, and Ft. Pickett, VA were chosen to receive a deployment of housing units from Hope, AR, based primarily on proximity to hurricane-prone coasts, anticipating possible heightened needs in the 2006 Hurricane season. Of the approximately 9,993 units at Hope, 3,000 will be relocated to these destinations: 500 to NJ, 1,500 to MD, and 1,000 to VA.

- b. Have you identified an immediate need for the mobile homes, or will the units be held in storage for future use? If there is no immediate use for the mobile homes at the new location(s), what is the purpose of moving the units?

While FEMA fully expects to draw down another 3,000 mobile homes from Hope for use in Louisiana, we will still have some excess but we will seek to avoid waste. While all of the mobile homes that were ordered in response to Hurricane Katrina may not ultimately be used in the Gulf Region, many of these units will be used to support other disaster response operations. For example, units from Hope have been deployed to Texas to provide temporary housing to victims of the state's terrible wildfires, and other units were used to support the victims of recent tornadoes in Arkansas and nearby states.

Additionally, we will be redeploying a portion of this inventory to staging areas in the northern tier of our nation, where their stability and increased protection from the cold make them a preferable housing alternative over travel trailers. Additional units are programmed to be moved farther west, to support potential disasters in the pacific states and our western states. Our goal is to relocate a total of 3,000 units from Hope to other staging areas over the next four months.

However, the 2006 hurricane season is here, and a portion of the hope inventory will play an important role in our readiness. While we intend to reduce the inventory through the uses I just described, we intend to maintain, at this time, a residual inventory of 5,000 units at Hope, to be ready for immediate deployment to the gulf region in the event of another hurricane catastrophe. We will re-evaluate the status of this inventory over time as the gulf coast rebuilds its supply of permanent housing stock.

c. What will be the cost of storage at the new location(s)?

Annual costs for all three sites are approximately \$3.3 million. Please note that not all of these sites are dedicated solely for storing mobile homes. Emergency response supplies such as meals-ready-to-eat, water, generators, cots, etc. are also stored at some of these locations.

d. Do you have plans to sell units that are not currently needed?

It is FEMA's intent to use the existing inventory of manufactured homes to the extent possible to meet disaster-related housing needs and we are actively working toward that end. FEMA is also utilizing these assets to meet the transitional housing needs of the victims of other disasters that have occurred subsequent to Katrina. While we do not necessarily expect these units to be sold, any further utilization or disposition of the units will be in accordance with the Stafford Act or the federal property exchange/sale or disposal programs of GSA.

The expectation is that all the travel trailers purchased to date (115,926) will be occupied. For the mobile homes (24,967), FEMA expects to put a number of them to use in the Katrina region, and FEMA hopes to use additional mobile homes to address other current and near-term disasters such as tornadoes and floods that require housing support. Further, FEMA will make units available to public entities that require them to support community rebuilding and recovery activities, and will stage a number of them in other parts of the country in advance of anticipated disasters for which we normally use mobile homes.

14. Traditionally, emergency management has followed a "bottoms-up" approach: local government is responsible for the initial response and then, if local responders are overwhelmed, they can request help from the state and the state responds; if the state is overwhelmed, then the state can request help and the federal government provides assistance. In Katrina, however, it was clear that, given the magnitude of the storm and the reach of the devastation, local and state officials would be, and were, completely overwhelmed almost from the start. As a result, a bottoms-up approach, dependent on specific requests and direction from state and local officials, did not work. Does FEMA currently have in place a system for a more proactive federal response in such situations? If so, please describe the system and the circumstances in which it will be used. If not, please explain why not.

While the Federal response to Katrina was unprecedented in size, we agree that it was not without flaws. By any measure, it was an extraordinary test for government and the private sector at all levels. The one-two combination of a catastrophic hurricane and massive flood overwhelmed the normal governmental disaster relief systems. Some things worked well-but there were also shortcomings that have been addressed or will be addressed. All levels of government – federal, state, and local – are reviewing what went right and what went wrong with the initial Katrina response.

FEMA/DHS is aggressively pursuing effective catastrophic disaster planning and preparedness to ensure more coordinated responses to future disasters by all levels of government and the private sector. As a result of intensive collaborative analyses of response and recovery programs post-Katrina, as well as actions taken to address recommendations made in the White House report *The Federal Response to Hurricane Katrina: Lessons Learned*, DHS Inspector General's Report, Congressional Reports, and other reports, FEMA has taken steps to retool its capabilities and is implementing multiple new and improved measures in the areas of logistics, emergency communications, situational awareness, housing, and victim management designed to strengthen essential functions so we can more effectively respond to all disasters. These improvements include building a 21st century disaster supply tracking system; establishing advanced contracts and vendor lists for commodities for greater surge capability; ensuring replenishment of our disaster supplies; implementing a strategic commodity pre-positioning plan; taking measures to ensure a better operational picture and situational awareness from the field; coordinating and planning more closely with DOD; signing an agreement with the Defense Logistics Agency for logistics support; upgrading the National Response Coordination Center (NRCC) and the Region IV and VI Regional Response Coordination Centers; improving the coordination between the NRCC and the National Operations Center (NOC); enhancing communications capabilities and interoperability; taking measures to improve management and deployment of the disaster workforce; enhancing our ability to receive requests for individual assistance; expediting the pace of debris removal; and developing a smarter plan for long-term housing.

Personally, I have built personal relationships with the heads of the various DHS components and these relationships will result in closer coordination among DHS components, leveraging FEMA's assets and abilities tremendously. Five leadership teams have already been pre-designated to ensure better coordination of the Federal government's response and recovery efforts in support of State and local governments. The five teams will draw on the expertise of Federal officials designated as PFOs, Deputy PFOs, and FCOs and will be assigned to the Gulf Coast Region, Florida, the Northeast region, the Mid-Atlantic region, and Texas. The PFOs and DPFOs will serve as the Secretary's representative on the ground and primary point of contact for State and local officials within their area of authority. These Federal government representatives will support State and local governments and will improve FEMA's and the Department's ability to respond quickly and delineate roles more effectively. Improved coordination procedures and protocols and reporting processes have also been worked out between the

NRCC and the NOC. Measures have been taken to put communications and operation systems in place that will ensure “unity of effort, unity of command” through rigorous adherence to the principles of NIMS.

To ensure better synchronization, coordination, and readiness with the military, whose personnel and capabilities can be critical in a major disaster response, FEMA and the DOD are placing a Defense Coordinating Officer (DCO) - typically deployed as lead field coordinator for the DOD at the time of a disaster -- permanently in each of FEMA's ten regional offices for ongoing preparedness and response coordination. This will improve Federal coordination in the immediate response and smooth out and expedite the provision of DOD support. FEMA is also streamlining the way it seeks assistance from the DOD by pre-scripting mission assignments in advance of the hurricane season so that time is not lost during the critical response period.

In addition to deploying FEMA Emergency Response Teams to State emergency operations centers to establish unified incident command, response liaisons will be deployed with satellite phone capability to key local emergency operations centers to coordinate with local officials and report information from the local level. This concept was successfully used in the responses to Hurricanes Rita and Wilma and will be continued in this year's Hurricane Season. FEMA/DHS's capabilities will be further enhanced with the introduction of the Department's Situational Awareness Teams (DSATs) with interoperable communications assets. The DSATs are designed to provide the DHS Secretary with situational awareness and real time disaster activity information from the heart of the disaster. In addition, FEMA is currently staffing two new Federal Incident Response Support Teams (FIRST) that will become operational during the summer of 2006. FIRSTs and equipment are designed to provide DHS/FEMA with the capability to directly support State, local, and tribal government disaster operations on scene as well as providing communications support and situational awareness to the State and DHS/FEMA decision makers. To enhance support for the DSATs and FIRSTs, survivable and interoperable communications capabilities are being augmented and greater emphasis is being placed on the types and availability of communications equipment, frequency management, and cross-coordination of operational support capability.

FEMA plans to activate more assets (teams and commodities) sooner and place them closer to anticipated landfall, while keeping them safe, though we recognize that with the variables of hurricanes this is always a challenge. All of these measures will ensure a more proactive Federal response at the same time they support the ability of State and local officials to perform their responsibilities.

15. In a catastrophic event where the state and locals are victims and largely unable to respond, does the federal government have sufficient first responder capabilities to be able to properly respond? If not, why not? If so, do we have the capabilities that we actually need to be able to adequately respond?

Researchers describe the geography of disaster events as involving a series of concentric zones. The central area is subject to the severest impact, and is surrounded by areas of lesser damage and disruption. Assistance to the highest impact areas is drawn from more distant communities and regions that are not directly affected by the disaster and can serve as suppliers of critical resources. In large-scale catastrophic incidents, the nation pools its resources to meet the demand by combining resources of neighboring, unaffected communities, the region, or the nation to meet resource demands.. These resources are typically first secured through mutual aid from adjacent, unaffected areas, and then through the Emergency Management Assistance Compact (EMAC). EMAC can provide extensive resources from states across the nation quickly to areas affected by major or catastrophic disasters. EMAC was specifically established to provide form and structure to interstate mutual aid, and was approved by Congress in 1996. Federal supplemental assistance is provided using the National Response Plan (NRP) under the Stafford Act or other Federal authorities. The Federal government brings to bear the resources of all signatory agencies and departments to the NRP.

16. The White House's report on its investigation into Katrina, "The Federal Response to Hurricane Katrina: Lessons Learned" noted the limitations of the National Response Plan's Catastrophic Incident Annex, finding that the Annex "provides for proactive deployment of resources to the area, but the actual use of the resources depends to a good degree on requests from state or local authorities and very often their participation in delivering the aid to those in need." (p. 18) The White House report concluded that:

"Ultimately, when a *catastrophic incident* occurs, regardless of whether the catastrophe has been a warned or is a surprise event, the Federal government should not rely on the traditional layered approach and instead should proactively provide, or 'push,' its capabilities and assistance directly to those in need. When the affected State's incident response capability is incapacitated and the situation has reached catastrophic proportions, the Federal government alone has the resources and capabilities to respond, restore order, and begin the process of recovery. This is a responsibility that must be more explicitly acknowledged and planned for in the NRP, and we must resource, train, and equip to meet this obligation when such a contingency arises." (p. 19, emphasis in original)

- a. Do you agree with this conclusion? Why or why not?

From my perspective as an experienced firefighter and emergency manager in responding to disasters, first and foremost in a disaster situation, I rely upon the seasoned judgment of State and local officials and the Governor's assessment of the State's ability or inability to respond to a situation, based on the availability of State and local resources. There is no doubt that at the Federal level we must be ready to respond to meet the State's need, and we are implementing measures to ensure that we can rapidly and effectively respond; but by the same token, we also have to respect the sovereignty of the States and

local governments as they provide for the life-saving needs of their citizens. This is a partnership and in all of our pre-disaster response planning we are attempting to jointly identify areas for improvement and identify the most likely immediate needs of the States so we can better prepare to meet those needs. As a result of our experience with Hurricane Katrina, we have initiated more robust advance planning with the States. Using our pre-disaster response planning as a measure, we will be in a much better position to identify in advance the unmet requirements of the States, and appropriately prepare to support them before the call for Federal assistance is initiated by the State.

FEMA has taken steps to retool its capabilities and is implementing multiple new and improved measures in the areas of logistics, emergency communications, situational awareness, housing, and victim management designed to strengthen essential functions so we can more aggressively and effectively respond to disasters.

The Department of Homeland Security issued a Notice of Change to the National Response Plan (NRP) on May 25, 2006. The Notice of Change modifies the NRP and identifies locations in the December 2004 version of the NRP where changes have been made. This Notice of Change will be followed by an extensive review of the NRP, at which time the NRP will be reissued. The Notice of Change broadens the scope of the Catastrophic Incident Annex and differentiates response procedures for no-notice incidents as opposed to those allowing for pre-incident staging of Federal assets.

- b. Do you intend to take steps to ensure that the NRP, its Catastrophic Incident Annex, and the Catastrophic Incident Supplement address these concerns? If so, how would you propose that these documents be changed? If not, why not?

I intend to work closely with the Secretary, the Preparedness Directorate, and other DHS components, as well as with the National Governor's Association and State and local emergency managers and conduct conferences and workshops to ensure that our disaster response planning identifies State requirements. This will place us in a more knowledgeable position to ensure that the NRP and associated documents are appropriately modified to meet disaster response needs and to ensure that we can provide all of the resources of the Federal government needed to support a State when its resources are exhausted. Through robust catastrophic disaster response planning we will know the likely shortfalls in advance. We will also be able through this process to jointly identify with the States, specific areas of the NRP and Catastrophic Incident Annex that may require revision to be more responsive to State needs.

The Department of Homeland Security issued a Notice of Change to the National Response Plan (NRP) on May 25, 2006. The Notice of Change modifies the NRP and identifies locations in the December 2004 version of the NRP where changes have been made. This Notice of Change will be followed later this year by an extensive review of the NRP, at which time the NRP will be reissued. The Notice of Change broadens the scope of the Catastrophic Incident Annex and differentiates response procedures for no-

notice incidents as opposed to those allowing for pre-incident staging of Federal assets.

17. Please rate the federal government's readiness for a major earthquake on the New Madrid fault or California on a scale of 1-10. What are the most pressing issues that we need to address to be ready for such earthquakes?

Current Federal disaster response capabilities will face significant challenges in addressing truly catastrophic disasters. As noted above, FEMA has already undertaken a number of steps that will enable it to more effectively surge its capabilities if needed to address a catastrophic event. FEMA's Catastrophic Disaster Planning initiative is designed to significantly further enhance Federal response planning activities by focusing solely on catastrophic disasters which can immediately overwhelm the existing disaster response capabilities of local, State, and Federal governments. The initiative will identify high risk areas, examine, in cooperation with affected state and local governments, loss estimates for such incidents, current disaster response capabilities, anticipated response shortfalls, and comprehensive planning strategies for addressing such shortfalls, to include new legislative and executive action if necessary. Products will include incident-specific response plans for pre-selected geographic regions, based upon loss estimating models and capability inventories of affected local, state and federal responders.

Because of the potential for a catastrophic earthquake along the New Madrid Seismic Zone (NMSZ) and the likelihood that it could result in wide-ranging impacts on the security, critical infrastructure and economy of the NMSZ if not the entire United States, the NMSZ has been selected as one of the catastrophic planning venues. Among the critical functional areas/topics that are being examined with States and local officials as part of the NMSZ catastrophic planning are the following:

- Search and rescue
- Communications
- Command and control
- Temporary medical care
- Debris
- Schools
- Evacuation
- Sheltering
- Temporary Housing
- Hosting
- Transportation
- Staging and distribution of critical resources
- Access control and reentry
- Power
- Water and ice distribution
- Volunteer and donations management
- Hazardous materials

External affairs

We will continue to work with Federal, State and local officials that are potentially impacted by a NMSZ event to increase readiness in these key areas.

18. In a press conference on May 23, 2006, you gave specifics of the commodities that FEMA will be pre-positioning for the hurricane season. At the same conference, Under Secretary for Preparedness George Foresman said that one of the challenges facing DHS and FEMA is how to "get the right resources to the right place at the right time." Although it is primarily the state and local governments' responsibility to transport commodities the "last mile" to victims, in a catastrophe it is both conceivable and expected that state and local resources will be overwhelmed. During the response to Hurricane Katrina, FEMA logistics personnel had problems with both procuring supplies *and* delivering them to local points of distribution. What measures have you taken to ensure that supplies pre-positioned at federal staging areas will be transported promptly to the victims during a disaster, whether by federal, state or local efforts?

FEMA has pursued several initiatives to improve logistics capabilities and our ability to respond to victim needs. Our goal is to develop a sophisticated, efficient, agile national logistics supply system capable of meeting emergent needs, responding to trends, and anticipatory of long-term requirements. We are collaborating with our partners to achieve total system integrity, visibility, and accountability over select disaster resources. We want to ensure that the right commodities can be provided at the right time to meet victim needs.

More specifically, FEMA has improved its logistics and commodity distribution capabilities by replenishing and restocking essential disaster commodities at logistics and staging facilities. FEMA headquarters signed an agreement in March with the Defense Logistics Agency (DLA) to ensure procurement, delivery, and vendor managed inventories. This will help ensure the availability of stockpiles of emergency meals, water, and plastic sheeting, as well as medical supplies and pharmaceuticals to assist FEMA's National Disaster Medical System and Urban Search and Rescue Task Forces.

For this year's hurricane season, there is greater emphasis on providing commercial type meals with packaging similar to that used for Meals Ready to Eat but that are better matched to the general population's nutritional and caloric requirements. In addition to replenishing and restocking essential disaster commodities such as water, ice, fuel, generators and tarps that FEMA has on hand at logistics and staging areas across the U.S., FEMA is working with vendors to have a ready supply of other needed commodities and assets for surge capability beyond FEMA's "on hand" capacity.

FEMA has implemented a program to improve its visibility of disaster assets and commodities from requisition to delivery of disaster commodities within States, thus enhancing logistics management. This new capability, the Total Asset Visibility Project:

Phase I, will provide FEMA with an improved ability to manage its inventory of certain commodities and to track the location of trailers carrying commodities such as water, ice, emergency meals, plastic sheeting, tarps, generators, cots, blankets, Joint Field Office kits, and material handling equipment distributed from the FEMA Logistics Centers in FEMA Region IV (Atlanta) and Region VI (Fort Worth). This tracking will provide real time status to FEMA and the States being assisted by this supplemental Federal assistance and will result in more effective and efficient delivery of relief supplies to disaster victims. FEMA is expanding this tracking system to encompass other centers.

Building on a strong system of strategic pre-positioning of Federal commodities developed in the last two years for quick deployment of assets to hurricane-prone states, FEMA has been closely coordinating with the States to improve commodity delivery. We have pre-positioned great quantities of supplies for this hurricane season. States have provided detailed information to FEMA regarding precise staging areas and points of distribution in optimal locations to best reach populations in need. States will take ownership of Federal commodities and are charged with their distribution to individual citizens. FEMA has taken a forward leaning approach to pre-positioning. A strategic pre-positioning plan has been completed and assets are being pre-positioned based on regional planning that considers the needs/requirements of the States, yet provides for flexible servicing.

Intensive Mobilization Centers and Staging Area training is another measure FEMA has taken in an effort to ensure that supplies will be transported properly. The courses trained participants in Incident Command Structure standard operating procedures, which will ensure a more efficient response. Three classes have been completed and over 120 personnel from FEMA, U.S. Army Corps of Engineers, Department of Transportation (DOT) United States Forest Service, DLA, contractors, and several States have been trained. Two additional classes are scheduled.

The Mobilization Centers and Staging Areas will also maximize the use of a shuttle fleet, using leased trailers, to deliver critical commodities to the Points of Distribution (PODs) or State Staging Areas. FEMA is also working with DOT, managers of the National Transportation Contract, to lease up to 1,000 trailers for use during disasters and to pre-position critical supplies closer to prospective impact areas. FEMA has coordinated planning with DOT and DOD to make air and water transportation assets more readily available when roads are impassible due to storm damage. Additionally, FEMA has established an Interagency Agreement with DLA for procurement of emergency meals, fuel, medical supplies and other critical commodities through existing DLA contracts.

19. During the Committee's investigation of Hurricane Katrina, it became apparent that most members of the emergency response teams mentioned in the National Response Plan (ERT-A, ERT-N, FIRST, RNA, etc.) had not trained together, and were unprepared to respond. Some teams (FIRST, and two ERT-N's) did not even exist.

- a. How many ERT-N teams does DHS currently have? What is their status, and do the team members overlap with other ERT teams or critical FEMA positions?

The ERT-N is a rostered interagency emergency response team that is comprised of some of the most highly qualified FEMA staff and staff from other Departments and Agencies to coordinate the full range of Federal response and recovery operations in catastrophic or other “high visibility” incidents. Currently there are two ERT-Ns can be deployed at the discretion of the FEMA Director/Response Division Director in coordination with the Regional Director of the impacted Region. Each ERT-N team consists of 33 members. The ERT-N deploys to the field and establishes operations at the Joint Field Office (JFO). The major organizational elements of the ERT-N include:

- FCO Support Staff-provides support in the areas of management, legal counsel, equal rights, emergency information, media affairs, congressional affairs, community relations, occupational safety, environmental liaison, financial management, and mitigation.
- Operations Section-directs the delivery of Federal major disaster assistance programs and services, including emergency assistance, human services assistance, and infrastructure support assistance to supplement State and local government efforts.
- Planning Section-collects, processes, and disseminates information about a potential or actual disaster or emergency to facilitate the overall activities of the Federal government in providing response and recovery assistance to an affected State.
- Logistics Section-plans, organizes, and directs logistical operations that relate to the accountability and control of supplies and equipment; orders resources; delivers supplies, equipment, and services to the JFO and other field activities; responsible for facility location, set-up, space management, building services, and general facility operations; and is responsible for transportation coordination and fleet management services, information technology system services, administrative services such as mail management and reproduction services, and customer assistance.
- Finance and Administration Section-provides support in the areas of personnel management, administration, and employee services.

ERT-N rosters are established to avoid overlapping assignments of personnel.

- b. In your previous answers to written questions you mention that FEMA now has two FIRST teams that can be deployed “very soon”. How many members do these teams have and are they robust enough to be “value-added” as specified in the National Response Plan? What is the status of these FIRST teams, and are two teams enough to respond to a multi-state catastrophe like Katrina? Are FIRST team members also members of other FEMA emergency response teams or hold other FEMA positions?

FEMA's Federal Incident Response Support Teams (FIRST) are designed to be highly responsive and flexible Federal incident management teams that will operate within the Incident Command System (ICS) framework of the National Incident Management System (NIMS) under the National Response Plan (NRP). The FIRSTs will be a forward extension of the Emergency Response Team-Advanced (ERT-A) providing the ERT-A Team Leader, and after a Stafford Act Declaration, the Federal Coordinating Officer with the capability to support State and local response on scene.

The mission of the FIRSTs is to support State and local response by expediting the delivery of life-saving Federal assistance. The FIRSTs will deploy rapidly to Incidents of National Significance requiring response operations and support State and local responders by assisting in providing initial situation assessments for local, State and Federal officials, determining Federal support requirements, supporting Federal resource ordering through established State procedures, and integrating Federal assets into the State and local response. They will also be able to assist with communications back to local, State and federal emergency operations centers and authorities.

The FIRSTs have five permanent team members including a Team Leader, Operations Section Chief, Planning Section Chief, Logistics Section Chief, and a Communications Unit Leader. A State may choose to assign a person(s) to respond with the FIRST. Other expertise may be assigned to augment the FIRSTs on an as-needed basis, provided by other Federal agencies or from other FEMA program elements such as Urban Search and Rescue, National Disaster Medical System, and Mobile Emergency Response Support Systems.

The FIRSTs are considered national assets but will be stationed in FEMA Regions IV and V and on a day-to-day basis report to the Regional Response and Recovery (R&R) Division Director. The R&R Division Director, who is responsible for all aspects of readiness in a Region, will ensure the FIRSTs work on an ongoing basis with other Federal partners, States, and through the States, with appropriate local governments to build relationships, conduct training, and be prepared and ready to carry out their mission.

Two FIRSTs are currently in the process of being established in Atlanta, Georgia, and Chicago, Illinois, and there are plans for establishing two additional FIRSTs.

20. Thousands of homeowners in the Gulf Region are facing delinquency and possible foreclosure on their mortgages. In years past, FEMA administered the Mortgage and Rental Assistance Program (MRA), which was designed to cover rent or mortgage payments for those who suffer financial hardship as a result of a major disaster declared by the President. The Disaster Mitigation Act of 2000 phased the program out. During a recent HSGAC hearing, Inspector General Skinner testified that the program should be reinstated. Do you support the Inspector General's recommendation that this program should be reinstated?

FEMA and the Department of Homeland Security have received numerous recommendations from other entities, including the White House, the House of Representatives, the GAO, and the DHS IG. We are carefully considering all of these recommendations.

21. A May 18, 2006, Associated Press article entitled, "Environmental group says some FEMA trailers unsafe," details the horrifying possibility that thousands of Hurricane Katrina victims in Mississippi and Louisiana may be living in unsafe conditions after tests it conducted showed dangerous levels of formaldehyde in some government trailers. The Sierra Club has asked for a congressional hearing after it claimed that 30 out of 32 Federal Emergency Management Agency trailers it tested had levels of formaldehyde that were unsafe. They began this testing after reports of individuals in trailers getting sick, with nosebleeds and ongoing coughs. The article stated, "The Sierra Club inserted vapor monitors in 50 trailers, though it said it had only gotten results back from a Florida lab on 32 of the tests. Formaldehyde concentrations were reported within a range of 0.06 to 0.34 parts per million in the air."

- a. Have you been made aware of these tests?

Yes

- b. Have you taken steps to verify or dismiss these claims?

We take these reports seriously and are aggressively handling this matter. However, because this matter is in litigation at this time I am unable to provide additional, specific information at this time.

- c. What will FEMA do if thousands of trailer program participants are suffering from the health affects of dangerous levels of formaldehyde in their home? Please report back to this Committee immediately with any information on this matter.

Again, because this matter is in pending litigation, I unable to provide any specific information at this time.

22. In recent public statements you have invoked the 72-hour standard for FEMA and the FEMA-managed federal response. This would appear to return FEMA to a pre-1993, pre-Hurricane Andrew performance measure. For more than a decade, FEMA has worked to speed up its response. According to the FEMA's 2004 Performance Assessment Review for the Response Division, for example, the agency has been committed to achieving a 48-hour improvement in response time by 2010 and having FEMA emergency response teams deployed within 12 hours of an event.
- a. Do you believe a 72-hour response standard is appropriate? If so, why? Are there circumstances in which a 72-hour response standard should not apply?

Historically, FEMA has encouraged the States, local governments, and individual citizens to prepare to sustain themselves for 72 hours after an incident. This is continued in order to help foster a culture of preparedness in the country. That is not to say that FEMA is not aggressively pursuing measures to be able to respond more quickly than 72 hours, but if most members of the general populace can take care of themselves immediately after the incident, then early response efforts can focus on helping those least able to help themselves. FEMA continues to take steps to reduce its response time.

Every disaster is different and meeting specific timeframes cannot always be guaranteed and depends on the type and severity of the disaster. Some disasters are no notice events that are likely to require a longer response time. For those disasters with warning, such as hurricanes, response times significantly less than 72-hours may be achievable and combined with improved evacuation efforts, should enable timely assistance to affected populations. Even with pre-positioning supplies, a delay in moving personnel, commodities, and equipment to a disaster area may occur depending on road, weather, and other conditions. FEMA's logistics operations provide comprehensive support and distribution systems for equipment and commodities to effectively support disaster victims and emergency teams responding to disasters.

A major FEMA priority and strategic goal over the next few years is to continue to acquire the equipment and capability to reduce average response times well below 72 hours to provide essential services and support to an impacted community with a population of 50,000. FEMA's strategic goal is to be able to ultimately provide essential logistical services within 40 hours to support an impacted community with a population of 50,000 or less and for response teams to arrive on scene within 12 hours. Supplies include such things as bottled water, emergency meals, cots, blankets, tents, sleeping bags, etc., and are provided from three large continental United States logistics centers maintained by FEMA. FEMA's logistics plans are to increase the use of pre-positioned supplies, stock even larger quantities of supplies, and pursue contracting arrangements that will further improve response capabilities.

Valuable lessons are learned from all disaster responses and FEMA is continually reviewing these lessons to make improvements. A significant retooling of FEMA has been undertaken to enhance the Agency's capabilities to fulfill its historic mission of supporting disaster response and recovery. Aggressive measures are being taken to enhance Federal disaster response capabilities such as upgrading response and communications systems, improving disaster workforce management, developing improved response team capabilities, and implementing improved logistics capabilities, along with exploring ways to better integrate these capabilities with State and local capabilities.

- b. Do you believe that FEMA is able to commit to a standard of 48 hours response time? Do you believe that FEMA should be able to do so?

As stated above, FEMA's strategic goal is to be able to ultimately provide essential logistical services within 40 hours to support an impacted community with a population of 50,000 or less and for response teams to arrive on scene within 12 hours. FEMA is committed to continuing to improve logistical delivery capabilities over the next fiscal years. The extensive pre-positioning of disaster supplies and plans to pre-deploy teams before a hurricane strikes should permit us to drastically improve response times.

- c. How will you ensure that the return of the 72-hour standard does not reduce the urgency of efforts within FEMA to improve overall response times?

As noted above, the concept of having people able to take care of their basic needs for the first 72-hours after a disaster is not meant as a replacement for a timely Federal response, but an effort to promote a culture of Preparedness in this Nation that will support a more effective response overall. FEMA thoroughly understands its mission and recognizes the urgency of all disasters. Additionally, FEMA will continue to review its efforts and work to improve its response time as appropriate. FEMA will continue to integrate Federal and private sector solutions and best practices to improve commodity delivery times and team response times.

**Senator Ted Stevens
HSGAC Committee
Hearing on R. David Paulison Nomination
Questions for record
Wednesday, May 24th, 2006**

1. Over the past several years the coast of Western Alaska has been devastated by winter storms that have caused massive erosion damage and endangered the lives of village residents. The area was declared a disaster by the President. FEMA has provided some assistance for clean up but has done nothing to restore the erosion damage caused by these storms. Why has FEMA not responded to the disasters in Western Alaska in the same way it responded to the hurricanes in the Gulf Region?

The Governor of Alaska requested and received a major disaster declaration for the State of Alaska for the severe fall storm, tidal surges, and flooding from September 22-26, 2005. Federal funding became available to State and eligible local governments and certain private nonprofit organizations on a cost-sharing basis for emergency work and the repair or replacement of facilities damaged by the severe fall storm, tidal surges, and flooding. Areas included in the disaster declaration are the Bering Strait Regional Education Attendance Area, Kashunamiut Regional Education Attendance Area, Lower Kuskokwim Regional Education Attendance Area, and the Northwest Arctic Borough. In addition, federal funding also became available on a cost-sharing basis for hazard mitigation measures statewide.

FEMA continues to work with the state of Alaska and local communities to address all eligible disaster damages and eligible mitigation projects from the September 2005 event and previous years' disaster declarations. It should be noted that Public Assistance restorative funds are eligible only to repair or replace damaged public infrastructure and not natural features that might be subject to coastal erosion.

Following Presidential Disaster Number 1571 (2004), FEMA funded under the Public Assistance Program, the repair of the St. George breakwater and seawall at the city harbor. The repair included the placement of 8,000 cubic yards of rip rap and the total eligible FEMA funding was \$2,916,375.

Also under Disaster Number 1571 declared disaster, the state of Alaska and FEMA have partnered to fund a Hazard Mitigation Grant Program project of relocating the Shishmaref Computer Cottage away from the area of erosion to a new location inland. FEMA is funding \$34,457 for the relocation, which has a potential financial benefit of \$268,035.

In 2004, the State of Alaska formed a multi-governmental committee to address coastal erosion issues, which is led by Christy Miller, the Alaska State National Flood Insurance (NFIP) Coordinator. FEMA Region X mitigation representatives have been active

participants in the meetings, primarily to address NFIP and Map Modernization issues to possibly incorporate erosion areas on Flood Insurance Rate Maps.

In fiscal year 1998, \$600,000 of assistance was provided to the community of Shishmaref under the Flood Mitigation Assistance program for bank protection and the elevation and relocation of approximately nine residences. This assistance was provided prior to the rule change that required all projects to be targeted at repetitive loss structures.

By their very nature, each disaster has unique circumstances, unexpected timing, and varied impacts. Assistance provided is based on the severity and magnitude of the disaster, the fact that it exceeds state and local capabilities and that of other disaster relief organizations. As a result, no two states will necessarily get exactly the same kind or level of assistance. FEMA remains committed to responding to any declared disaster and providing all eligible assistance.

**Senator Frank R. Lautenberg
HSGAC Committee
Hearing on R. David Paulison Nomination
Questions for record
Wednesday, May 24th, 2006**

1. This committee heard testimony about how elderly and disabled persons were left behind in New Orleans before Hurricane Katrina struck. New Orleans' current evacuation drill incorporates plans to move elderly and disabled people to the train station, to be evacuated on Amtrak trains. To what extent will you incorporate the use of passenger rail in evacuation planning for cities to help these people and others without cars? How will you, in the capacity as FEMA Director, ensure that resources such as rail service are available when needed?

Evacuation is first and foremost a State and local responsibility. State/local emergency response plans should clearly lay out timing parameters and roles and responsibilities associated with carrying out evacuations, accounting for special needs populations for people who do not have their own means of transportation. States and local jurisdictions often enter into interstate and intrastate agreements/compacts to share resources in evacuations. The Federal government's role is to provide advice and guidance concerning the design of evacuation plans, to provide assistance through preparedness programs to State and local officials to develop those plans, to provide Federal financial assistance for evacuation costs in keeping with program requirements, and to directly assist in evacuation efforts at such time as the State and local efforts are overwhelmed by an incident. As such, FEMA does not play a direct role in the development of evacuation plans, and therefore is not in a position to determine what type of transportation to use or how. As the Director of FEMA, I will work with the Department of Transportation, the lead agency for ESF #1, as well as with all of the federal agencies that support ESF #1 or that may have a role in evacuations to ensure that States and localities are prepared to support evacuations.

FEMA is currently actively participating with the Department of Transportation, Justice, Homeland Security and our other Emergency Support Federal departments and agencies, and State and local emergency management partners to assist in State and local evacuation planning and in developing a Federal evacuation plan in the event State and local resources are overwhelmed.

2. Can you report to this Committee with confidence that the top officials at FEMA are all experienced professionals in emergency management?

To be sure, there are a myriad of positions that do require specific emergency management experience; for those positions, I am making sure we hire qualified professionals to fit the job requirements. I am working with Secretary Chertoff to

strengthen this agency by bringing together an experienced senior leadership team at FEMA. The new senior leadership team brings over 100 years of combined experience to the agency. Admiral Harvey Johnson, whose leadership skills have been honed in the U.S. Coast Guard has joined FEMA as deputy director. We have made progress in recruiting new regional directors who have extensive experience in emergency management, including Art Cleaves in Region I, Stephen Kempf in Region II, and William Peterson in Region VI.

As the Committee is aware, not every position at FEMA requires an Emergency Management background. For example, I have recently appointed Deirdre Lee to be the Deputy Director of Operations for contracting. In this role, Ms. Lee will be responsible for overseeing the Agency's contracting and procurement activities. Ms. Lee is extremely qualified for this position, having held similar positions at NASA, the Department of Defense and the General Services Administration.

3. How do you plan to attract top-notch experienced professionals back to FEMA at all levels?

We have launched an aggressive campaign to recruit qualified professionals including reaching out to universities, professional organizations, and trade groups.

FEMA is in the midst of our 2006 Hiring Initiative. Working closely with FEMA senior management, FEMA's Human Resources Division is holding meetings to identify skill requirements and staffing priorities.

The hiring initiative provides a multi-pronged approach to meet these staffing requirements in an expedited manner, including:

- FEMA's Human Resources Division has enhanced staffing by hiring Stafford Act Employees and contract staff for support. DHS headquarters human resources staff have also been detailed to FEMA for support.
- A "Katrina Hiring Team" has been created – with team units focusing on specific job types and locations (i.e. PFT, 2 year CORE, 4 year CORE positions; HQ, regional, field locations).
- Timeframes for each step of the hiring process have been compressed to ensure success.
- The security clearance process has been streamlined.
- FEMA expects to reach approximately 87% of its staffing capacity by June 1st ... and to reach 95% of its staffing capacity by the start of pay period 14 (July 9, 2006). As of May 15, 2006, FEMA had met 80% of its staffing needs.

Many people aspire to public service careers and are inspired by FEMA's mission to help people in times of disaster. I am confident that this spirit will generate a rich talent pool for recruiting purposes.

4. Do you think the agency still has a – QUOTE – “tainted reputation” because of Katrina?

An important part of regaining the trust of the American people will be to do a better job of reaching out to them to educate them on our capabilities. In addition, FEMA has taken major steps to retool its capabilities and is implementing multiple new and improved measures in the areas of logistics, emergency communications, situational awareness, housing, and victim management designed to strengthen our disaster response capabilities.

Since Hurricane Katrina, FEMA has responded to 48 major disaster declarations, and 47 emergency declarations, as well as providing Fire Management Assistance Declarations to states affected by the 2005 wildfire season. While in the wake of Katrina, many of these responses went unnoticed, we believe that as we effectively meet the needs of affected communities, we will continue to rebuild the solid reputation that FEMA has gained over the years. It will only be through time and demonstration of our new effectiveness, that confidence will be completely restored.

5. A recent survey found that 44 percent of the people who chose not to evacuate prior to Katrina making landfall did so in part because they did not want to leave their pets behind. Do you agree that we need to address the problems of evacuating people with pets in order to save lives in future disasters?

Absolutely. As the Fire Chief of Miami-Dade County, I saw many instances when people would not evacuate unless they could ensure the safety of their pets. That is why I believe that government agencies and non-profit organizations involved in evacuation and sheltering following a disaster should consider pets when developing their plans. In Louisiana, FEMA has brought in qualified personnel from the U.S. Department of Agriculture and the Public Health Service to work with pet advocacy groups as well as State and local officials to prepare plans and shelters to better address this issue.

6. Are you familiar with the Stevens-Lautenberg bill to address the issue of evacuating pets? Do you support it?

As a matter of policy, I do not take a position on pending legislation.

Recognizing the complexity of this issue, DHS is working jointly with the American Kennel Club (AKC), the ASPCA (American Society for the Prevention of Cruelty to Animals), American Veterinary Medical Association (AVMA), and The Humane Society of the United States (HSUS) to encourage pet owners to prepare for emergencies.